

(1) appropriate Federal agencies and State and local government entities; and

(2) interested groups and organizations.

(d) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with Public Law 91-383 (16 U.S.C. 1a-1 et seq.).

#### SEC. 4. REPORT.

Not later than 3 years after the date funds are made available for the study, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings of the study; and

(2) any conclusions and recommendations of the Secretary.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

#### GENERAL LEAVE

Mrs. MUSGRAVE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

Mrs. MUSGRAVE. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1972, introduced by Congresswoman MARSHA BLACKBURN, would direct the Secretary of the Interior to determine the suitability and feasibility of including sites related to the Battle of Franklin into the National Park System. This study area will include the cities of Brentwood, Franklin, Triune, Thompson's Station and Spring Hill, Tennessee. The Secretary will determine if the sites within the study area have national significance and if they may be included in an existing national park or another federally designated unit.

I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

I want to congratulate both sponsors, including the cosponsor on this side, Congressman LINCOLN DAVIS, for their leadership in getting this bill to the floor today. The majority has already explained this legislation. I would only add that we on this side of the aisle also support it.

Mr. Speaker, I reserve the balance of my time.

Mrs. MUSGRAVE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I would like to begin by thanking my

colleague, Congressman DAVIS, for his diligence and his attention to this matter. This addresses Williamson County, Tennessee, which he and I share the representation of. He and his staff have worked very closely with us to address this issue of looking at the Franklin battlefield.

By way of history, Mr. Speaker, on the afternoon of November 30, 1864, General Hood's Army of Tennessee marched down Winstead Hill in Franklin, Tennessee, and charged the Union forces of General Schofield. Fighting continued until late in the evening as both sides sustained heavy casualties. The following morning revealed the terrible consequences of the fighting that took place and how the battle became the darkest day of the Civil War. With over 9,000 dead soldiers and six dead Confederate generals, the battle would be the bloodiest battle of the Civil War and would sound the death knell of the Confederacy. The battle is known as the Battle of Franklin.

Mr. Speaker, the Battle of Franklin was one of the last significant battles leading to the Union victory over the Confederacy in the Civil War and has tremendous significance not only to our community but to American history. Yet there is neither a national cemetery nor a national battlefield park commemorating the battle. This bill is a first step toward preserving and protecting sites that contributed to this important Civil War landscape and achieving a solution to save the area as a national heritage through partnerships with the local communities.

It does, as the gentlewoman from Colorado said, direct the Secretary of the Interior to study sites in Williamson County, Tennessee, where portions of the Battle of Franklin took place or were related to the battle. The battlefield will serve as a memorial of the American citizens who fought and died for what they believed was right. I urge my colleagues' consideration on this bill. Again, I thank the gentleman from Tennessee for his support and assistance.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Tennessee (Mr. DAVIS), the cosponsor of the legislation.

Mr. DAVIS of Tennessee. Mr. Speaker, I rise today in strong support of H.R. 1972, the Franklin National Battlefield Study Act. It is fitting that we protect this piece of American history by preserving this battlefield, home to the Battle of Franklin. As Roberts Hicks and Julian Bibb of Franklin's Charge put it best:

"What happened on the late afternoon and evening of November 30, 1864, was an epic display of courage and valor as troops on both sides gave their lives for causes they believed worthy and just. But the battle was much more. In essence, the Battle of Franklin was one of the most significant events in national unity, peace, and the end of slavery."

The Franklin battlefield might be one of the smallest battlefields in the United States, but it is also among the bloodiest. A staggering 9,000 soldiers were killed or wounded at Franklin, including the largest number of generals ever lost in any American battle. It was the largest infantry charge ever conducted in North America. In the 5 tragic hours that make up the Battle of Franklin, more men died in those 5 hours than the 19 hours on D-Day. Eleven Congressional Medals of Honor were earned at the Battle of Franklin.

The Civil War Sites Advisory Commission designated Franklin as one of just 45 principal battles having a direct, observable impact on the direction, duration, conduct, or outcome of the war. Marking the beginning of the end for the Western Theater of the Civil War, it is now listed among the country's Top 10 Most Endangered Civil War Battlefields by the Civil War Preservation Trust. I strongly support Representative BLACKBURN's legislation to correct this injustice. The Battle of Franklin is considered the beginning of the defeat of the Confederacy.

I applaud the efforts of Save the Franklin Battlefield, Incorporated; Mayor Miller of Franklin; Franklin's Charge; the Williamson County Historical Society; interested city and county leaders; and leading preservationists and conservation organizations that have sought to make this legislation a reality. It has been a delight to work with the gentlewoman from Tennessee on this particular issue, which is in her home district, a county that we both share.

I believe it is our duty to preserve this historical battlefield, and we are bound by the respect and homage we must pay for those who died to preserve the Nation we hold so dear and revere today. But this is also for our children and grandchildren who will now be able to experience a chapter in our Nation's history in a way that a textbook cannot provide.

Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time.

Mrs. MUSGRAVE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the bill, H.R. 1972, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1415

PECHANGA BAND OF LUISENO MISSION INDIANS LAND TRANSFER ACT OF 2005

Mrs. MUSGRAVE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3507) to transfer certain land

in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and for other purposes.

The Clerk read as follows:

H.R. 3507

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2005".

**SEC. 2. TRANSFER OF LAND IN TRUST FOR PECHANGA BAND OF LUISENO MISSION INDIANS.**

(a) TRANSFER AND ADMINISTRATION.—

(1) TRANSFER.—Effective on the date of the enactment of this Act and subject to valid existing rights, all right, title, and interest of the United States in and to the Federal lands described in subsection (b), including all improvements thereon, appurtenances thereto, and rights to all minerals thereon or therein, including oil and gas, water, and related resources, shall be held by the United States in trust for the Pechanga Band of Luiseno Mission Indians, a federally recognized Indian tribe.

(2) ADMINISTRATION.—The transferred land shall be declared part of the Pechanga Indian Reservation and administered in accordance with—

(A) the laws and regulations generally applicable to property held in trust by the United States for an Indian tribe; and

(B) a memorandum of understanding entered into between the Pechanga Band of Luiseno Mission Indians and the United States Fish and Wildlife Service.

(b) DESCRIPTION OF LAND.—The lands referred to in subsection (a) consist of approximately 990.74 acres in Riverside County, California, and San Diego County, California, as referenced on the map titled, "H.R. 4908, Pechanga Land Transfer Act" and dated September 13, 2004, which, before the transfer under such subsection, were administered by the Bureau of Land Management and are more particularly described as follows:

(1) Sections 29, 30, and 32 of township 8 south, range 2 west, San Bernardino base and meridian.

(2) Section 6 of township 9 south, range 2 west, San Bernardino base and meridian.

(3) Mineral Survey 3540, section 22 of township 5 south, range 4 west, San Bernardino base and meridian.

(c) SURVEY.—Not later than 180 days after the date of the enactment of this Act, the Office of Cadastral Survey of the Bureau of Land Management shall complete a survey of the lands transferred under subsection (a) for the purpose of establishing the boundaries of the lands.

(d) MAP ON FILE.—The map referred to in subsection (b) shall be on file in the appropriate offices of the Bureau of Land Management.

(e) LEGAL DESCRIPTIONS.—

(1) PUBLICATION.—On approval of the survey completed under subsection (c) by the duly elected tribal council of the Pechanga Band of Luiseno Mission Indians, the Secretary of the Interior shall publish in the Federal Register—

(A) a legal description of the boundary lines; and

(B) legal description of the lands transferred under subsection (a).

(2) EFFECT.—Beginning on the date on which the legal descriptions are published under paragraph (1), such legal descriptions shall be the official legal descriptions of the

boundary lines and the lands transferred under subsection (a).

(f) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Pechanga Band of Luiseno Mission Indians to any land or interest in land that is in existence before the date of the enactment of this Act; or

(2) affect any water right of the Pechanga Band of Luiseno Mission Indians in existence before the date of the enactment of this Act.

(g) RESTRICTED USE OF TRANSFERRED LANDS.—The lands transferred under subsection (a) may be used only for the protection, preservation, and maintenance of the archaeological, cultural, and wildlife resources thereon.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

GENERAL LEAVE

Mrs. MUSGRAVE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

Mrs. MUSGRAVE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3507 is a non-controversial bill to transfer two parcels of public land to the Pechanga Band of Mission Indians. Located in Riverside County, California, these lands total 991 acres in size.

The lands subject to the transfer are currently administered by the Bureau of Land Management, but they contain archaeological, cultural and wildlife resources that are extremely valuable to the tribe.

In the last Congress, the Resources Committee held a hearing on a similar bill to transfer the same lands. In this hearing, both the tribe and the Interior Department testified that these lands belong in Tribal ownership.

After reporting that legislation, it was learned that the U.S. Fish and Wildlife Service had certain concerns relating to the management and use of the lands, and Congress adjourned before the problem could be resolved. These concerns have been addressed through a memorandum of understanding between the tribe and the Fish and Wildlife Service, and the sponsor of last year's bill has introduced H.R. 3507 to reference the MOU.

Because the lands are part of the Pechanga's ancient heritage, the tribe has adopted a resolution to zone them for conservation purposes. To reinforce the Tribe's intent, this bill requires the tribe to use the properties only for the protection and preservation of cultural, archaeological and wildlife resources.

The Pechanga Tribe should be commended for seeking to care for lands that are so important to preserving the heritage of its tribal members. In this spirit, I urge my colleagues to support H.R. 3507.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we on this side on the aisle again have no objection to the passage of this bill for the Pechanga Tribe of California.

Resources Committee Ranking Member NICK RAHALL worked hard last Congress with the gentleman from California (Mr. ISSA) to have land put into trust for this tribe so they could preserve an area vital to their ceremonies and culture. We expect the tribe to manage this land in a similar manner and do not object to its consideration today.

Mr. ISSA. Mr. Speaker, I rise today to offer H.R. 3507, the Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2005, for final passage in the House. This bill will transfer approximately 990 acres of land currently being held by the Bureau of Land Management to the United States to be held in trust for the Pechanga tribe as apart of their reservation.

The Pechanga people have called the Temecula Valley, which is located in my district, their home for more than 10,000 years. They like to say that they have governed themselves and cared for their lands since time immemorial.

This bill transfers into trust land that has immense historical, archaeological, and cultural significance for the Pechanga tribe. It also includes a memorandum of understanding that has been agreed upon by the Pechanga Tribe and the U.S. Fish and Wildlife Service. This M.O.U. provides restrictions that limit the use of this land to only preservation, protection and maintenance of its historical and cultural artifacts and its resources.

It is widely agreed that the BLM currently has more land in its possession than it can properly care for and maintain. I view the opportunity to return this mostly rocky hillside area to those who are willing and have the resources to provide proper maintenance and care for the land.

Mr. Speaker, the Pechanga have done an exemplary job of integrating and investing in their community, both on their reservation land and beyond. They have been good neighbors to the City of Temecula, and have demonstrated that they can properly care for and maintain Federal land transferred to their care.

I hope that my colleagues will join me today in voting to pass this bill out of the House.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 3507, the Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2005.

The Pechanga Tribe has sought for years to acquire this land because of its importance as an ancestral burial site.

This bill demonstrates respect for the sovereignty of the tribe and recognizes the importance of preserving America's rich Native American Heritage.

It demonstrates respect for the sovereignty of tribes by ensuring that these lands are not

arbitrarily separated from their tribal community.

In 2002 I co-sponsored H.R. 3476 to protect the ancestral land of Great Oak Ranch because I understand the significance of these sites to both the tribe and the surrounding community.

In preserving these lands we show that we are aware of our Congressional responsibility to ensure that archaeological, historical, and cultural sites from America's Native American heritage are not taken from future generations.

We must continue the work begun today to restore and strengthen our awareness of America's rich Native American history.

Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time.

Mrs. MUSGRAVE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the bill, H.R. 3507.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

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#### ALLOWING USE OF CERTAIN ROADS WITHIN DELAWARE WATER GAP NATIONAL RECREATION AREA

Mrs. MUSGRAVE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3721) to amend the Omnibus Parks and Public Lands Management Act of 1996 to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area and to allow the National Park Service to continue to collect fees from those vehicles, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3721

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. USE OF CERTAIN ROADS WITHIN DELAWARE WATER GAP.

Section 702 of Division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4185) is amended—

(1) by striking "2005" and inserting "2015, or whenever a feasible alternative exists, whichever comes first," each place it appears; and

(2) by amending the last sentence in subsection (c)(2) to read as follows: "Such fee shall be set to fully cover the cost of operation of the road, but not to exceed \$40 per trip."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

GENERAL LEAVE

Mrs. MUSGRAVE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

Mrs. MUSGRAVE. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3721, introduced by the gentleman from Pennsylvania (Mr. SHERWOOD) and amended by the Resources Committee, would amend the Omnibus Parks and Public Lands Management Act of 1996 to continue to permit certain commercial vehicles to utilize Route 209 within the Delaware Water Gap National Recreation Area in Pennsylvania as well as allow the National Park Service to continue to collect fees from these vehicles.

Since 1996, this route has become an increasingly important north-south artery connecting the two northeast Pennsylvania towns of Milford and Stroudsburg. While an alternate routes does exist outside the Recreation Area, the fact is that the route transverses a much more mountainous region and thus takes more time and is more dangerous, especially during the winter months. I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the majority has again already explained the purpose of H.R. 3721, which deals with truck traffic on a park road within the Delaware Water Gap National Recreation Area. The Congress has dealt with this issue on three different occasions in the past. It is our hope that this will be the last time we will need to address this subject.

Mr. Speaker, we have no objection to its adoption as amended by the House today.

Mr. Speaker, I yield back the balance of my time.

Mrs. MUSGRAVE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Speaker, I thank Chairman POMBO and Ranking Member RAHALL for working with me to get H.R. 3721 on the suspension calendar and considered in an expeditious fashion.

At the request of the National Park Service, I introduced H.R. 3721 which would extend for 10 years the current authority for commercial vehicle traffic through the Delaware Water Gap National Recreation Area along Route 209. All bordering counties and boroughs are supportive of the bill.

In supporting the bill, the National Park Service cites the continuing need for commercial vehicle traffic to travel through the park in a manner that protects park resources and visitors while also providing the Water Gap Rec-

reational Area the financial means for monitoring and enforcement of commercial use restrictions.

The bill is needed to continue a program that has worked for the Park Service and the community surrounding the Water Gap National Recreation Area for over 20 years. The fee collection system resolved the potential problems raised when the 21-mile segment of U.S. Route 209 was transferred to Park Service control. The system allows limited commercial vehicle access, and the tolls allow the Park Service to monitor the road without using regular operation and maintenance budgets.

Authorization for the program was done in 10-year increments. The most recent 10-year increment authorization expired September 30. My bill would extend the authorization to September 30, 2015.

The current program has been in operation since 1983 and was largely successful until it started running a deficit. The main problem with the existing program is the lack of the ability for the park to adjust the fee schedule to cover the expense of operating the contact stations. This problem is resolved by authorizing the park superintendent to adjust fees as necessary to cover operating costs.

A reduction or elimination of commercial traffic is not feasible at this time as the commercial traffic continues to serve local businesses immediately adjacent to the park and is necessary for continued business operation within the area for another decade.

The management of U.S. Route 209, in accordance with this legislation, meets the goals of the park and is supported by the experience of the park, public sentiment, and economic analysis. On behalf of the National Park Service, I ask for your support for this legislation.

Mrs. MUSGRAVE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the bill, H.R. 3721, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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#### LAND EXCHANGES, TAHOE NATIONAL FOREST, CALIFORNIA

Mrs. MUSGRAVE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3981) to authorize the Secretary of Agriculture to carry out certain land exchanges involving small parcels of National Forest System land in the Tahoe National Forest in the State of California, and for other purposes.

The Clerk read as follows: