

[SEC. 3. MEMORIALS TO THE SPACE SHUTTLE COLUMBIA.]

[(a) ESTABLISHMENT.—There are established, as units of the National Park System, 4 memorials to the Space Shuttle Columbia to be located on the 4 parcels of land in the State of Texas described in subsection (b) on which large debris from the Space Shuttle Columbia was recovered.

[(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are—

[(1) the parcel of land owned by the Fredonia Corporation, located at the southeast corner of the intersection of East Hospital Street and North Fredonia Street, Nacogdoches, Texas;

[(2) the parcel of land owned by Temple Inland Inc., 10 acres of a 61-acre tract bounded by State Highway 83 and Bayou Bend Road, Hemphill, Texas;

[(3) the parcel of land owned by the city of Lufkin, Texas, located at City Hall Park, 301 Charlton Street, Lufkin, Texas; and

[(4) the parcel of land owned by San Augustine County, Texas, located at 1109 Oaklawn Street, San Augustine, Texas.

[(c) ADMINISTRATION.—The memorials shall be administered by the Secretary.

[(d) ADDITIONAL SITES.—The Secretary may recommend to Congress additional sites in the State of Texas related to the Space Shuttle Columbia for establishment as memorials to the Space Shuttle Columbia.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Columbia Space Shuttle Memorial Study Act of 2005”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **MEMORIAL.**—The term “memorial” means a memorial to the Space Shuttle Columbia the suitability and feasibility of the establishment of which is a subject of the study under section 3(a).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. STUDY OF SUITABILITY AND FEASIBILITY OF ESTABLISHING MEMORIALS TO THE SPACE SHUTTLE COLUMBIA.

(a) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall carry out a study to determine the suitability and feasibility of establishing, as units of the National Park System on land in the State of Texas described in subsection (b) (on which large debris from the Space Shuttle Columbia was recovered), memorials to the Space Shuttle Columbia.

(b) **DESCRIPTION OF LAND.**—The parcels of land referred to in subsection (a) are—

(1) the parcel of land owned by the Fredonia Corporation, located at the southeast corner of the intersection of East Hospital Street and North Fredonia Street, Nacogdoches, Texas;

(2) the parcel of land owned by Temple Inland Inc., 10 acres of a 61-acre tract bounded by State Highway 83 and Bayou Bend Road, Hemphill, Texas;

(3) the parcel of land owned by the city of Lufkin, Texas, located at City Hall Park, 301 Charlton Street, Lufkin, Texas; and

(4) the parcel of land owned by San Augustine County, Texas, located at 1109 Oaklawn Street, San Augustine, Texas.

(c) **ADMINISTRATION.**—In carrying out the study, the Secretary shall assume that, if established after completion of the study, each memorial shall be administered by the Secretary.

(d) **ADDITIONAL SITES.**—The Secretary may recommend to Congress additional sites in the State of Texas relating to the Space Shuttle Columbia for establishment as memorials to the Space Shuttle Columbia.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this Act.

Amend the title so as to read: “To direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing memorials to the Space Shuttle Columbia on parcels of land in the State of Texas.”.

The committee amendment in the nature of a substitute was agreed to.

The title amendment was agreed to.

The bill (S. 242), as amended, was read the third time and passed.

BETTY DICK RESIDENCE PROTECTION ACT

The Senate proceeded to consider the bill (S. 584) to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 584

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 “Betty Dick Residence Protection Act”.

[SEC. 2. FINDINGS.]

“Congress finds that—

“(1) before their divorce, Fred and Marilyn Dick, owned as tenants in common a tract of land that included the property described in section 5(b);

“(2) when Fred and Marilyn Dick divorced, Marilyn Dick became the sole owner of the tract of land, but Fred Dick retained the right of first refusal to acquire the tract of land;

“(3) in 1977, Marilyn Dick sold the tract to the United States for addition to Rocky Mountain National Park, but Fred Dick, asserting his right of first refusal, sued to cancel the transaction;

“(4) in 1980, the lawsuit was settled through an agreement between the National Park Service, Fred Dick, and the heirs, successors, and assigns of Fred Dick;

“(5) under the 1980 settlement agreement, Fred Dick and his wife, Betty Dick, were allowed to lease and occupy the 23 acres comprising the property described in section 5(b) for 25 years;

“(6) Fred Dick died in 1992, but Betty Dick has continued to lease and occupy the property described in section 5(b) under the terms of the settlement agreement;

“(7) Betty Dick’s right to lease and occupy the property described in section 5(b) will expire on July 16, 2005, at which time Betty Dick will be 83 years old;

“(8) Betty Dick wishes to continue to occupy the property for the remainder of her life and has sought to enter into a new agreement with the National Park Service that would allow her to continue to occupy the property;

“(9) the National Park Service has not been willing to enter into a new agreement with Betty Dick and is demanding that she vacate the property by July 16, 2005;

“(10) since 1980, Betty Dick—

“(A) has consistently occupied the property described in section 5(b) as a summer residence;

“(B) has made the property available for community events; and

“(C) has been a good steward of the property;

“(11) Betty Dick’s occupancy of the property has not—

“(A) been detrimental to the resources and values of Rocky Mountain National Park; or

“(B) created problems for the National Park Service or the public; and

“(12) under the circumstances, it is appropriate for Betty Dick to be allowed to continue her occupancy of the property described in section 5(b) for the remainder of her natural life under the terms and conditions applicable to her occupancy of the property since 1980.

[SEC. 3. PURPOSE.]

“The purpose of this Act is to require the Secretary of the Interior to permit the continued occupancy and use of the property described in section 5(b) by Betty Dick for the remainder of her natural life.

[SEC. 4. DEFINITIONS.]

“In this Act:

“(1) **AGREEMENT.**—The term “Agreement” means the agreement between the National Park Service and Fred Dick entitled “Settlement Agreement” and dated July 17, 1980.

“(2) **MAP.**—The term “map” means the map entitled “Betty Dick Residence and Barn” and dated January 2005.

“(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

[SEC. 5. RIGHT OF OCCUPANCY.]

“(a) **IN GENERAL.**—The Secretary shall allow Betty Dick to continue to occupy and use the property described in subsection (b) for the remainder of the natural life of Betty Dick, subject to the requirements of this Act.

“(b) **DESCRIPTION OF PROPERTY.**—The property referred to in subsection (a) is the land and any improvements to the land within the boundaries of Rocky Mountain National Park identified on the map as “residence”, “occupancy area”, and “barn”.

“(c) **TERMS AND CONDITIONS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the occupancy and use of the property identified in subsection (b) by Betty Dick shall be subject to the same terms and conditions specified in the Agreement.

“(2) **PAYMENT.**—In exchange for the continued use and occupancy of the property, Betty Dick shall annually pay to the Secretary an amount equal to 1/25 of the amount specified in section 3(B) of the Agreement.

“(d) **EFFECT.**—Nothing in this Act—

“(1) allows the construction of any structure on the property described in subsection (b) not in existence on November 30, 2004; or

“(2) applies to the occupancy or use of the property described in subsection (b) by any person other than Betty Dick.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Betty Dick Residence Protection Act”.

SEC. 2. PURPOSE.

The purpose of this Act is to require the Secretary of the Interior to permit the continued occupancy and use of the property described in section 4(b) by Betty Dick for the remainder of her natural life.

SEC. 3. DEFINITIONS.

In this Act:

(1) **AGREEMENT.**—The term “Agreement” means the agreement between the National Park Service and Fred Dick entitled “Settlement Agreement” and dated July 17, 1980.

(2) **MAP.**—The term “map” means the map entitled “RMNP Land Occupancy” and dated September 2005, which identifies approximately 8 acres for the occupancy and use by the tenant.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **TENANT.**—The term “tenant” means Betty Dick, widow of George Fredrick Dick, who held a 25-year reservation of occupancy and use at a property within the boundaries of Rocky Mountain National Park.

SEC. 4. RIGHT OF OCCUPANCY.

(a) **IN GENERAL.**—The Secretary shall allow the tenant to continue to occupy and use the property described in subsection (b) for the remainder of the natural life of the tenant, subject to the requirements of this Act.

(b) **DESCRIPTION OF PROPERTY.**—The property referred to in subsection (a) is the land and any improvements to the land within the boundaries of Rocky Mountain National Park identified on the map as “residence” and “occupancy area”.

(c) TERMS AND CONDITIONS.—

(1) **IN GENERAL.**—Except as otherwise provided in this Act, the occupancy and use of the property identified in subsection (b) by the tenant shall be subject to the same terms and conditions specified in the Agreement.

(2) PAYMENTS.—

(A) **IN GENERAL.**—In exchange for the continued occupancy and use of the property, the tenant shall annually pay to the Secretary an amount equal to $\frac{1}{25}$ of the amount specified in section 3(B) of the Agreement.

(B) **ADVANCE PAYMENT REQUIRED.**—The annual payments required under subparagraph (A) shall be paid in advance by not later than May 1 of each year.

(C) **DISPOSITION.**—Amounts received by the Secretary under this paragraph shall be—

(i) deposited in a special account in the Treasury of the United States; and

(ii) made available, without further appropriation, to the Rocky Mountain National Park until expended.

(3) **PUBLIC ACCESS.**—The public shall have access to both banks of the main channel of the Colorado River.

(d) **TERMINATION.**—The right of occupancy and use authorized under this Act—

(1) shall not be extended to any individual other than the tenant; and

(2) shall terminate—

(A) on the death of the tenant;

(B) if the tenant does not make a payment required under subsection (c)(2); or

(C) if the tenant otherwise fails to comply with the terms of this Act.

(e) **EFFECT.**—Nothing in this Act—

(1) allows the construction of any structure on the property described in subsection (b) not in existence on November 30, 2004; or

(2) applies to the occupancy or use of the property described in subsection (b) by any person other than the tenant.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 584), as amended, was read the third time and passed.

BENJAMIN FRANKLIN NATIONAL MEMORIAL COMMEMORATION ACT OF 2005

The bill (S. 652) to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin, was read the third time and passed; as follows:

S. 652

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 “Benjamin Franklin National Memorial Commemoration Act of 2005”.

SEC. 2. BENJAMIN FRANKLIN NATIONAL MEMORIAL.

The Secretary of the Interior may provide a grant to the Franklin Institute to—

(1) rehabilitate the Benjamin Franklin National Memorial (including the Franklin statue) in Philadelphia, Pennsylvania; and

(2) develop an interpretive exhibit relating to Benjamin Franklin, to be displayed at a museum adjacent to the Benjamin Franklin National Memorial.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this Act \$10,000,000.

(b) **REQUIRED MATCH.**—The Secretary of the Interior shall require the Franklin Institute to match any amounts provided to the Franklin Institute under this Act.

RURAL WATER SUPPLY ACT OF 2005

The Senate proceeded to consider the bill (S. 895) to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 895

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

[(a) **SHORT TITLE.**—This Act may be cited as the “Rural Water Supply Act of 2005”.]

[(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:]

[Sec. 1. Short title; table of contents.]

[TITLE I—RECLAMATION RURAL WATER SUPPLY ACT OF 2005

[Sec. 101. Short title.]

[Sec. 102. Definitions.]

[Sec. 103. Rural water supply program.]

[Sec. 104. Rural water programs assessment.]

[Sec. 105. Appraisal investigations.]

[Sec. 106. Feasibility studies.]

[Sec. 107. Miscellaneous.]

[Sec. 108. Authorization of appropriations.]

[TITLE II—TWENTY-FIRST CENTURY WATER WORKS ACT

[Sec. 201. Short title.]

[Sec. 202. Definitions.]

[Sec. 203. Project eligibility.]

[Sec. 204. Loan guarantees.]

[Sec. 205. Operations, maintenance, and replacement costs.]

[Sec. 206. Title to newly constructed facilities.]

[Sec. 207. Water rights.]

[Sec. 208. Interagency coordination and cooperation.]

[Sec. 209. Authorization of appropriations.]

[TITLE I—RECLAMATION RURAL WATER SUPPLY ACT OF 2005

[SEC. 101. SHORT TITLE.

[This title may be cited as the “Reclamation Rural Water Supply Act of 2005”.]

[SEC. 102. DEFINITIONS.

[In this title:

[(1) **FEDERAL RECLAMATION LAW.**—The term “Federal reclamation law” means the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

[(2) **INDIAN.**—The term “Indian” means an individual who is a member of an Indian tribe.

[(3) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).]

[(4) **NON-FEDERAL PROJECT ENTITY.**—The term “non-Federal project entity” means a State, regional, or local authority, Indian tribe or tribal organization, or other qualifying entity, such as a water conservation district, water conservancy district, or rural water district or association.

[(5) **OPERATIONS, MAINTENANCE, AND REPLACEMENT COSTS.**—

[(A) **IN GENERAL.**—The term “operations, maintenance, and replacement costs” means all costs for the operation of a rural water supply project that are necessary for the safe, efficient, and continued functioning of the project to produce the benefits described in a feasibility study.]

[(B) **INCLUSIONS.**—The term “operations, maintenance, and replacement costs” includes—

[(i) repairs of a routine nature that maintain a rural water supply project in a well kept condition;

[(ii) replacement of worn-out project elements; and

[(iii) rehabilitation activities necessary to bring a deteriorated project back to the original condition of the project.]

[(C) **EXCLUSION.**—The term “operations, maintenance, and replacement costs” does not include construction costs.]

[(6) **PROGRAM.**—The term “program” means the rural water supply program established under section 103.]

[(7) **RECLAMATION STATES.**—The term “reclamation States” means the States and areas referred to in the first section of the Act of June 17, 1902 (43 U.S.C. 391).]

[(8) **RURAL WATER SUPPLY PROJECT.**—

[(A) **IN GENERAL.**—The term “rural water supply project” means a project that is designed to serve a group of communities, which may include Indian tribes and tribal organizations, dispersed homesites, or rural areas with domestic, industrial, municipal, and residential water, each of which has a population of not more than 50,000 inhabitants.]

[(B) **INCLUSION.**—The term “rural water supply project” includes—

[(i) incidental noncommercial livestock watering and noncommercial irrigation of vegetation and small gardens of less than 1 acre; and

[(ii) a project to improve rural water infrastructure, including—

[(I) pumps, pipes, wells, and other diversions;

[(II) storage tanks and small impoundments;

[(III) water treatment facilities for potable water supplies;

[(IV) equipment and management tools for water conservation, groundwater recovery, and water recycling; and

[(V) appurtenances.]

[(C) **EXCLUSION.**—The term “rural water supply project” does not include—

[(i) commercial irrigation; or

[(ii) major impoundment structures.]

[(9) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.]