

“(4) CALIFORNIA NATIONAL HISTORIC TRAIL.—“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the Missouri Valley, central, and western routes of the California Trail listed in subparagraph (B) and generally depicted on the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other and shared Missouri Valley, central, and western routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the California National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

- “(i) MISSOURI VALLEY ROUTES.—
- “(I) Blue Mills-Independence Road.
- “(II) Westport Landing Road.
- “(III) Westport-Lawrence Road.
- “(IV) Fort Leavenworth-Blue River route.
- “(V) Road to Amazonia.
- “(VI) Union Ferry Route.
- “(VII) Old Wyoming-Nebraska City cutoff.
- “(VIII) Lower Plattsmouth Route.
- “(IX) Lower Bellevue Route.
- “(X) Woodbury cutoff.
- “(XI) Blue Ridge cutoff.
- “(XII) Westport Road.
- “(XIII) Gum Springs-Fort Leavenworth route.
- “(XIV) Atchison/Independence Creek routes.
- “(XV) Fort Leavenworth-Kansas River route.
- “(XVI) Nebraska City cutoff routes.
- “(XVII) Minersville-Nebraska City Road.
- “(XVIII) Upper Plattsmouth route.
- “(XIX) Upper Bellevue route.
- “(ii) CENTRAL ROUTES.—
- “(I) Cherokee Trail, including splits.
- “(II) Weber Canyon route of Hastings cutoff.
- “(III) Bishop Creek cutoff.
- “(IV) McAuley cutoff.
- “(V) Diamond Springs cutoff.
- “(VI) Secret Pass.
- “(VII) Greenhorn cutoff.
- “(VIII) Central Overland Trail.
- “(iii) WESTERN ROUTES.—
- “(I) Bidwell-Bartleson route.
- “(II) Georgetown/Dagget Pass Trail.
- “(III) Big Trees Road.
- “(IV) Grizzly Flat cutoff.
- “(V) Nevada City Road.
- “(VI) Yreka Trail.
- “(VII) Henness Pass route.
- “(VIII) Johnson cutoff.
- “(IX) Luther Pass Trail.
- “(X) Volcano Road.
- “(XI) Sacramento-Coloma Wagon Road.
- “(XII) Burnett cutoff.
- “(XIII) Placer County Road to Auburn.
- “(5) MORMON PIONEER NATIONAL HISTORIC TRAIL.—

“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Mormon Pioneer Trail listed in subparagraph (B) and generally depicted in the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other routes of the Mormon Pioneer Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Mormon Pioneer National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

- “(i) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).
- “(ii) 1856–57 Handcart route (Iowa City to Council Bluffs).
- “(iii) Keokuk route (Iowa).
- “(iv) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.
- “(v) Fort Leavenworth Road; Or Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).
- “(vi) 1850 Golden Pass Road in Utah.
- “(6) SHARED CALIFORNIA AND OREGON TRAIL ROUTES.—

“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the shared routes of the California Trail and Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as shared components of the California National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

- “(i) St. Joe Road.
- “(ii) Council Bluffs Road.
- “(iii) Sublette cutoff.
- “(iv) Applegate route.
- “(v) Old Fort Kearny Road (Oxbow Trail).
- “(vi) Childs cutoff.
- “(vii) Raft River to Applegate.”.

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

The bill (S. 635), as amended, was read the third time and passed.

SAN GABRIEL RIVER WATERSHED STUDY ACT

The bill (H.R. 519) to authorize the Secretary of the Interior to conduct a study of the San Gabriel River Watershed, and for other purposes, was considered, read the third time, and passed.

McLOUGHLIN HOUSE NATIONAL HISTORIC SITE ACT

The Senate proceeded to consider the bill (H.R. 733) to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title.

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

H.R. 733

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

SECTION 1. SHORT TITLE; DEFINITIONS.

[(a) SHORT TITLE.—This Act may be cited as the “McLoughlin House National Historic Site Act”.

[(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

[(1) ASSOCIATION.—The term “Association” means the McLoughlin Memorial Association, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

[(2) CITY.—The term “City” means Oregon City, Oregon.

[(3) HISTORIC SITE.—The term “Historic Site” means the McLoughlin House National Historic Site which is described in the Acting Assistant Secretary of the Interior’s Order of June 27, 1941, and generally depicted on the map entitled “McLoughlin House National Historic Site”, numbered 007/80,000, and dated 12/01/01, and includes the McLoughlin House, the Barclay House, and other asso-

ciated real property, improvements, and personal property.

[(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 2. FINDINGS.

[(Congress finds the following:

[(1) On June 27, 1941, Acting Assistant Secretary of the Interior W.C. Mendenhall, by means of the authority granted the Secretary under section 2 of the Historic Sites Act of August 21, 1935, established the McLoughlin Home National Historic Site, located in the City.

[(2) Since January 16, 1945, the site has been known as McLoughlin House National Historic Site.

[(3) The Historic Site includes the McLoughlin House and Barclay House, which are owned and managed by the Association.

[(4) The Historic Site is located in a Charter Park on Oregon City Block 40, which is owned by the City.

[(5) A cooperative agreement was made in 1941 among the Association, the City, and the United States, providing for the preservation and use of the McLoughlin House as a national historic site.

[(6) The Association has had an exemplary and longstanding role in the stewardship of the Historic Site but is unable to continue that role.

[(7) The Historic Site has been an affiliated area of the National Park System and is worthy of recognition as part of the National Park System.

SEC. 3. McLOUGHLIN HOUSE NATIONAL HISTORIC SITE.

[(a) ACQUISITION.—The Secretary is authorized to acquire the Historic Site, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange, except that lands or interests in lands owned by the City may be acquired by donation only.

[(b) BOUNDARIES; ADMINISTRATION.—Upon acquisition of the Historic Site, the acquired property shall be included within the boundaries of, and be administered as part of, the Fort Vancouver National Historic Site in accordance with all applicable laws and regulations of the National Park System.]

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the “McLoughlin House Addition to Fort Vancouver National Historic Site Act”.

(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) CITY.—The term “City” means Oregon City, Oregon.

(2) McLOUGHLIN HOUSE.—The term “McLoughlin House” means the McLoughlin House National Historic Site which is described in the Acting Assistant Secretary of the Interior’s Order of June 27, 1941, and generally depicted on the map entitled “McLoughlin House, Fort Vancouver National Historic Site”, numbered 389/92,002, and dated 5/01/03, and includes the McLoughlin House, the Barclay House, and other associated real property, improvements, and personal property.

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

SEC. 2. McLOUGHLIN HOUSE ADDITION TO FORT VANCOUVER.

(a) ACQUISITION.—The Secretary is authorized to acquire the McLoughlin House, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange, except that lands or interests in lands owned by the City may be acquired by donation only.

(b) MAP AVAILABILITY.—The map identifying the McLoughlin House referred to in section 1(b)(2) shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

(c) BOUNDARIES; ADMINISTRATION.—Upon acquisition of the McLoughlin House, the acquired

property shall be included within the boundaries of, and be administered as part of, the Fort Vancouver National Historic Site in accordance with all applicable laws and regulations.

(d) **NAME CHANGE.**—Upon acquisition of the McLoughlin House, the Secretary shall change the name of the site from the “McLoughlin House National Historic Site” to the “McLoughlin House”.

(e) **FEDERAL LAWS.**—After the McLoughlin House is acquired and added to Fort Vancouver National Historic Site, any reference in a law, map, regulation, document, paper, or other record of the United States to the “McLoughlin House National Historic Site” (other than this Act) shall be deemed a reference to the “McLoughlin House”, a unit of Fort Vancouver National Historic Site.

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

The bill (H.R. 733), as amended, was read the third time and passed.

The title was amended so as to read: “A bill to authorize the Secretary of the Interior to acquire the McLoughlin House in Oregon City, Oregon, for inclusion in Fort Vancouver National Historic Site, and for other purposes.”

GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION ACT

The bill (H.R. 788) to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona was considered, read the third time, and passed.

FREMONT-MADISON CONVEYANCE ACT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 126, S. 520.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 520) to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. Mr. President, I ask unanimous consent that the Crapo amendment No. 928, which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 928) was agreed to, as follows:

AMENDMENT NO. 928

(Purpose: To make technical corrections)

On page 2, lines 14 and 15, strike “(Contract No. 1425-0901-09MA-0910-093310)” and insert “(Contract No. 1425-01-MA-10-3310).”

On page 3, line 10, strike “No. 1425-0901-09MA-MA-0910-093310” and insert “No. 1425-01-MA-10-3310”.

On page 4, lines 1 and 2, strike “1425-0901-09MA-0910-093310” and insert “1425-01-MA-10-3310”.

On page 4, line 6, strike “7-0907-0910-09W0179” and insert “7-07-10-W0179”.

The bill (S. 520), as amended, was read the third time and passed, as follows:

S. 520

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 “Fremont-Madison Conveyance Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **DISTRICT.**—The term “District” means the Fremont-Madison Irrigation District, an irrigation district organized under the law of the State of Idaho.

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

SEC. 3. CONVEYANCE OF FACILITIES.

(a) **CONVEYANCE REQUIREMENT.**—The Secretary of the Interior shall convey to the Fremont-Madison Irrigation District, Idaho, pursuant to the terms of the memorandum of agreement (MOA) between the District and the Secretary (Contract No. 1425-01-MA-10-3310), all right, title, and interest of the United States in and to the canals, laterals, drains, and other components of the water distribution and drainage system that is operated or maintained by the District for delivery of water to and drainage of water from lands within the boundaries of the District as they exist upon the date of enactment of this Act, consistent with section 8.

(b) **REPORT.**—If the Secretary has not completed any conveyance required under this Act by September 13, 2004, the Secretary shall, by no later than that date, submit a report to the Congress explaining the reasons that conveyance has not been completed and stating the date by which the conveyance will be completed.

SEC. 4. COSTS.

(a) **IN GENERAL.**—The Secretary shall require, as a condition of the conveyance under section 3, that the District pay the administrative costs of the conveyance and related activities, including the costs of any review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), as described in Contract No. 1425-01-MA-10-3310.

(b) **VALUE OF FACILITIES TO BE TRANSFERRED.**—In addition to subsection (a) the Secretary shall also require, as a condition of the conveyance under section 2, that the District pay to the United States the lesser of the net present value of the remaining obligations owed by the District to the United States with respect to the facilities conveyed, or \$280,000. Amounts received by the United States under this subsection shall be deposited into the Reclamation Fund.

SEC. 5. TETON EXCHANGE WELLS.

(a) **CONTRACTS AND PERMIT.**—In conveying the Teton Exchange Wells pursuant to section 3, the Secretary shall also convey to the District—

(1) Idaho Department of Water Resources permit number 22-7022, including drilled wells under the permit, as described in Contract No. 1425-01-MA-10-3310; and

(2) all equipment appurtenant to such wells.

(b) **EXTENSION OF WATER SERVICE CONTRACT.**—The water service contract between the Secretary and the District (Contract No. 7-07-10-W0179, dated September 16, 1977) is hereby extended and shall continue in full force and effect until all conditions described in this Act are fulfilled.

SEC. 6. ENVIRONMENTAL REVIEW.

Prior to conveyance the Secretary shall complete all environmental reviews and

analyses as set forth in the Memorandum of Agreement referenced in section 3(a).

SEC. 7. LIABILITY.

Effective on the date of the conveyance the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to the conveyed facilities, except for damages caused by acts of negligence committed by the United States or by its employees, agents, or contractors prior to the date of conveyance. Nothing in this section may increase the liability of the United States beyond that currently provided in chapter 171 of title 28, United States Code.

SEC. 8. WATER SUPPLY TO DISTRICT LANDS.

The acreage within the District eligible to receive water from the Minidoka Project and the Teton Basin Projects is increased to reflect the number of acres within the District as of the date of enactment of this Act, including lands annexed into the District prior to enactment of this Act as contemplated by the Teton Basin Project. The increase in acreage does not alter deliveries authorized under the District’s existing water storage contracts and as allowed by State water law.

SEC. 9. DROUGHT MANAGEMENT PLANNING.

Within 60 days of enactment of this Act, in collaboration with stakeholders in the Henry’s Fork watershed, the Secretary shall initiate a drought management planning process to address all water uses, including irrigation and the wild trout fishery, in the Henry’s Fork watershed. Within 18 months of enactment of this Act, the Secretary shall submit a report to Congress, which shall include a final drought management plan.

SEC. 10. EFFECT.

(a) **IN GENERAL.**—Except as provided in this Act, nothing in this Act affects—

(1) the rights of any person; or

(2) any right in existence on the date of enactment of this Act of the Shoshone-Bannock Tribes of the Fort Hall Reservation to water based on a treaty, compact, executive order, agreement, the decision in *Winters v. United States*, 207 U.S. 564 (1908) (commonly known as the “Winters Doctrine”), or law.

(b) **CONVEYANCES.**—Any conveyance under this Act shall not affect or abrogate any provision of any contract executed by the United States or State law regarding any irrigation district’s right to use water developed in the facilities conveyed.

MOSQUITO ABATEMENT FOR SAFETY AND HEALTH ACT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 137, S. 1015.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1015) to authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1015) was read the third time and passed, as follows: