

(d) DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.—

(1) NEW LAW DIC.—Section 1311(a) of such title is amended—

(A) in paragraph (1), by striking “\$967” and inserting “\$1,033”; and

(B) in paragraph (2), by striking “\$208” and inserting “\$221”.

(2) OLD LAW DIC.—The table in paragraph (3) of such section is amended to read as follows:

Pay grade	Monthly rate	Pay grade	Monthly rate
E-1 .....	\$1,033	W-4 .....	\$1,236
E-2 .....	1,033	O-1 .....	1,092
E-3 .....	1,033	O-2 .....	1,128
E-4 .....	1,033	O-3 .....	1,207
E-5 .....	1,033	O-4 .....	1,277
E-6 .....	1,033	O-5 .....	1,406
E-7 .....	1,069	O-6 .....	1,585
E-8 .....	1,128	O-7 .....	1,712
E-9 .....	1,177 <sup>1</sup>	O-8 .....	1,879
W-1 .....	1,092	O-9 .....	2,010
W-2 .....	1,135	O-10 .....	2,204 <sup>2</sup>
W-3 .....	1,169		

<sup>1</sup> If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$1,271.

<sup>2</sup> If the veteran served as Chairman or Vice-Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$2,365.”

(3) ADDITIONAL DIC FOR CHILDREN OR DISABILITY.—Section 1311 of such title is amended—

(A) in subsection (b), by striking “\$241” and inserting “\$257”;

(B) in subsection (c), by striking “\$241” and inserting “\$257”; and

(C) in subsection (d), by striking “\$115” and inserting “\$122”.

(e) DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.—

(1) DIC WHEN NO SURVIVING SPOUSE.—Section 1313(a) of such title is amended—

(A) in paragraph (1), by striking “\$410” and inserting “\$438”;

(B) in paragraph (2), by striking “\$590” and inserting “\$629”;

(C) in paragraph (3), by striking “\$767” and inserting “\$819”; and

(D) in paragraph (4), by striking “\$767” and “\$148” and inserting “\$819” and “\$157”, respectively.

(2) SUPPLEMENTAL DIC FOR CERTAIN CHILDREN.—Section 1314 of such title is amended—

(A) in subsection (a), by striking “\$241” and inserting “\$257”;

(B) in subsection (b), by striking “\$410” and inserting “\$438”; and

(C) in subsection (c), by striking “\$205” and inserting “\$218”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 1, 2005.

(g) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

Mr. AKAKA. Mr. President, as ranking member of the Senate Committee on Veterans' Affairs, I am extremely pleased that the Senate will pass legislation that will authorize a cost-of-living adjustment, COLA, for veterans' compensation for next year.

The Veterans' Compensation Cost-of-Living Adjustment Act of 2005 directs the Secretary of Veterans Affairs to increase, as of December 1, 2005, the rates of veterans' disability compensation, additional compensation for dependents, the clothing allowance for certain disabled adult children, and dependency and indemnity compensation for surviving spouses and children.

This increase will be the same percentage as the increase provided to So-

cial Security recipients. The increase this year is one of the largest in recent memory—4.1 percent. In my opinion, this increase could not have come at a more crucial time. The COLA is enormously important to veterans and their families. It is critical that veterans' disability compensation rates keep pace with the increasing cost-of-living. Without it, these people would be unable to afford the simple necessities of life. I note, it is well documented that home heating fuel costs will skyrocket this winter. The COLA increase goes a long way to ensuring no veterans are left out in the cold.

Mr. President, in closing, I thank all Senators that voted to support this Nation's veterans.

The bill (S. 1234), as amended, was read the third time and passed.

#### THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate en bloc consideration of the following bills reported out of the Energy Committee: Calendar Nos. 236 through 240; 242 through 249; 262 through 273; and H.R. 1972, which is at the desk.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the amendments at the desk be agreed to, the committee-reported amendments, as amended, if amended, be agreed to, the bills, as amended, if amended, be read a third time and passed, and the title amendments be agreed to, all en bloc.

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

#### ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL DESIGNATION ACT

The Senate proceeded to consider the bill (S. 206) to designate the Ice Age Floods National Geologic Trail, and for other purposes, 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. 206

*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 “Ice Age Floods National Geologic Trail Designation Act of 2005”.]

#### SEC. 2. FINDINGS AND PURPOSE.

[(a) FINDINGS.—Congress finds that—

[(1) at the end of the last Ice Age, some 12,000 to 17,000 years ago, a series of cataclysmic floods occurred in what is now the northwest region of the United States, leaving a lasting mark of dramatic and distinguishing features on the landscape of parts of the States of Montana, Idaho, Washington and Oregon;

[(2) geological features that have exceptional value and quality to illustrate and interpret this extraordinary natural phenomenon are present on Federal, State, tribal, county, municipal, and private land in the region; and

[(3) in 2001, a joint study team headed by the National Park Service that included about 70 members from public and private entities completed a study endorsing the establishment of an Ice Age Floods National Geologic Trail—

[(A) to recognize the national significance of this phenomenon; and

[(B) to coordinate public and private sector entities in the presentation of the story of the Ice Age floods.

[(b) PURPOSE.—The purpose of this Act is to designate the Ice Age Floods National Geologic Trail in the States of Montana, Idaho, Washington, and Oregon, enabling the public to view, experience, and learn about the features and story of the Ice Age floods through the collaborative efforts of public and private entities.

#### SEC. 3. DEFINITIONS.

[In this Act:

[(1) ICE AGE FLOODS; FLOODS.—The term “Ice Age floods” or “floods” means the cataclysmic floods that occurred in what is now the northwestern United States during the last Ice Age from massive, rapid and recurring drainage of Glacial Lake in Missoula, Montana.

[(2) PLAN.—The term “plan” means the cooperative management and interpretation plan authorized under section 5(f).

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

[(4) TRAIL.—The term “Trail” means the Ice Age Floods National Geologic Trail designated by section 4(a).

**[SEC. 4. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.]**

[(a) DESIGNATION.—In order to provide for public appreciation, understanding, and enjoyment of the nationally significant natural and cultural features of the Ice Age floods and to promote collaborative efforts for interpretation and education among public and private entities located along the pathways of the floods, there is designated the Ice Age Floods National Geologic Trail.

[(b) LOCATION.—

[(1) MAP.—The route of the Trail shall be generally depicted on the map entitled “Ice Age Floods National Geologic Trail,” numbered \_\_\_\_\_, and dated \_\_\_\_\_.

[(2) ROUTE.—The route shall generally follow public roads and highways—

[(A) from the vicinity of Missoula in western Montana;

[(B) across northern Idaho;

[(C) through eastern and southern sections of Washington;

[(D) across northern Oregon in the vicinity of the Willamette Valley and the Columbia River; and

[(E) to the Pacific Ocean.

[(3) REVISION.—The Secretary may revise the map by publication in the Federal Register of a notice of availability of a new map as part of the plan.

[(c) MAP AVAILABILITY.—Any map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**[SEC. 5. ADMINISTRATION.]**

[(a) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall administer the Trail in accordance with this Act.

[(b) TRAIL MANAGEMENT OFFICE.—In order for the National Park Service to manage the Trail and coordinate Trail activities with other public agencies and private entities, the Secretary may establish and operate a trail management office within the vicinity of the Trail.

[(c) LAND ACQUISITION.—

[(1) IN GENERAL.—If the acquisition is consistent with the plan, the Secretary may acquire land, in a quantity not to exceed 25 acres, for administrative and public information purposes to facilitate the geographic diversity of the Trail throughout the States of Montana, Idaho, Washington, and Oregon.

[(2) METHODS.—

[(A) PRIVATE LAND.—Private land may be acquired from a willing seller under this Act only by donation, purchase with donated or appropriated funds, or exchange.

[(B) NON-FEDERAL PUBLIC LAND.—Non-Federal public land may be acquired from a willing seller under this Act—

[(i) only by donation or exchange; and

[(ii) after consultation with the affected unit of local government.

[(d) INTERPRETIVE FACILITIES.—The Secretary may plan, design, and construct interpretive facilities for sites associated with the Trail if the facilities are constructed in partnership with State, local, tribal, or non-profit entities and are consistent with the plan.

[(e) INTERAGENCY TECHNICAL COMMITTEE.—

[(1) IN GENERAL.—The Secretary shall establish an interagency technical committee to advise the trail management office on the technical planning for the development of the plan.

[(2) COMPOSITION.—The committee—

[(A) shall include—

[(i) representatives from Federal, State, local, and tribal agencies with interests in the floods; and

[(ii) representatives from the Ice Age Floods Institute; and

[(B) may include private property owners, business owners, and nonprofit organizations.

[(f) MANAGEMENT PLAN.—

[(1) IN GENERAL.—Not later than 3 years after funds are made available to carry out this Act under section 6, the Secretary shall prepare a cooperative management and interpretation plan for the Trail.

[(2) CONSULTATION.—The Secretary shall prepare the plan in consultation with—

[(A) State, local, and tribal governments;

[(B) the Ice Age Floods Institute;

[(C) private property owners; and

[(D) other interested parties.

[(3) CONTENTS.—The plan shall—

[(A) confirm and, if appropriate, expand on the inventory of features of the floods contained in the National Park Service study entitled “Ice Age Floods, Study of Alternatives and Environmental Assessment” (February 2001) by—

[(i) locating features more accurately;

[(ii) improving the description of features; and

[(iii) reevaluating the features in terms of their interpretive potential;

[(B) review and, if appropriate, modify the map of the Trail referred to in section 4(b);

[(C) describe strategies for the coordinated development of the Trail, including an interpretive plan for facilities, waysides, roadside pullouts, exhibits, media, and programs that present the story of the floods to the public effectively; and

[(D) identify potential partnering opportunities in the development of interpretive facilities and educational programs to educate the public about the story of the floods.

[(g) COOPERATIVE MANAGEMENT.—

[(1) IN GENERAL.—In order to facilitate the development of coordinated interpretation, education, resource stewardship, visitor facility development and operation, and scientific research associated with the Trail and to promote more efficient administration of the sites associated with the Trail, the Secretary may enter into cooperative management agreements with appropriate officials in the States of Montana, Idaho, Washington, and Oregon in accordance with the authority provided for units of the National Park System under section 3(l) of Public Law 91-383 (16 U.S.C. 1a-2(l)).

[(2) UNIT OF NATIONAL PARK SYSTEM.—For purposes of this subsection, the Trail shall be considered a unit of the National Park System.

[(h) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with public or private entities to carry out this Act.

[(i) EFFECT ON PRIVATE PROPERTY RIGHTS.—Nothing in this Act—

[(1) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or

[(2) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

[(j) LIABILITY.—Designation of the Trail by section 4(a) does not create any liability for, or affect any liability under any law of, any private property owner with respect to any person injured on the private property.

**[SEC. 6. AUTHORIZATION OF APPROPRIATIONS.]**

[There are authorized to be appropriated such sums as are necessary to carry out this Act, of which not more than \$500,000 may be used for each fiscal year for the administration of the Trail.]

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Ice Age Floods National Geologic Trail Designation Act”.*

**SEC. 2. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) at the end of the last Ice Age, some 12,000 to 17,000 years ago, a series of cataclysmic floods occurred in what is now the northwest region of

the United States, leaving a lasting mark of dramatic and distinguishing features on the landscape of parts of the States of Montana, Idaho, Washington and Oregon;

(2) geological features that have exceptional value and quality to illustrate and interpret this extraordinary natural phenomenon are present on Federal, State, tribal, county, municipal, and private land in the region; and

(3) in 2001, a joint study team headed by the National Park Service that included about 70 members from public and private entities completed a study endorsing the establishment of an Ice Age Floods National Geologic Trail—

(A) to recognize the national significance of this phenomenon; and

(B) to coordinate public and private sector entities in the presentation of the story of the Ice Age floods.

(b) PURPOSE.—The purpose of this Act is to designate the Ice Age Floods National Geologic Trail in the States of Montana, Idaho, Washington, and Oregon, enabling the public to view, experience, and learn about the features and story of the Ice Age floods through the collaborative efforts of public and private entities.

**SEC. 3. DEFINITIONS.**

*In this Act:*

(1) ICE AGE FLOODS; FLOODS.—The term “Ice Age floods” or “floods” means the cataclysmic floods that occurred in what is now the northwestern United States during the last Ice Age from massive, rapid and recurring drainage of Glacial Lake in Missoula, Montana.

(2) PLAN.—The term “plan” means the cooperative management and interpretation plan authorized under section 5(e).

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

(4) TRAIL.—The term “Trail” means the Ice Age Floods National Geologic Trail designated by section 4(a).

**SEC. 4. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.**

(a) DESIGNATION.—In order to provide for public appreciation, understanding, and enjoyment of the nationally significant natural and cultural features of the Ice Age floods and to promote collaborative efforts for interpretation and education among public and private entities located along the pathways of the floods, there is designated the Ice Age Floods National Geologic Trail.

(b) LOCATION.—

(1) MAP.—The route of the Trail shall be generally depicted on the map entitled “Ice Age Floods National Geologic Trail,” numbered P43/80,000 and dated June 2004.

(2) ROUTE.—The route shall generally follow public roads and highways.

(3) REVISION.—The Secretary may revise the map by publication in the Federal Register of a notice of availability of a new map as part of the plan.

(c) MAP AVAILABILITY.—The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

**SEC. 5. ADMINISTRATION.**

(a) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall administer the Trail in accordance with this Act.

(b) LIMITATION.—Except as provided in subsection (f)(2), the Trail shall not be considered to be a unit of the National Park System.

(c) TRAIL MANAGEMENT OFFICE.—To improve management of the Trail and coordinate Trail activities with other public agencies and private entities, the Secretary may establish and operate a trail management office at a central location within the vicinity of the Trail.

(d) INTERPRETIVE FACILITIES.—The Secretary may plan, design, and construct interpretive facilities for sites associated with the Trail if the facilities are constructed in partnership with State, local, tribal, or non-profit entities and are consistent with the plan.

(e) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after funds are made available to carry out this Act, the Secretary shall prepare a cooperative management and interpretation plan for the Trail.

(2) **CONSULTATION.**—The Secretary shall prepare the plan in consultation with—

- (A) State, local, and tribal governments;
- (B) the Ice Age Floods Institute;
- (C) private property owners; and
- (D) other interested parties.

(3) **CONTENTS.**—The plan shall—

(A) confirm and, if appropriate, expand on the inventory of features of the floods contained in the National Park Service study entitled “Ice Age Floods, Study of Alternatives and Environmental Assessment” (February 2001) by—

- (i) locating features more accurately;
- (ii) improving the description of features; and
- (iii) reevaluating the features in terms of their interpretive potential;

(B) review and, if appropriate, modify the map of the Trail referred to in section 4(b);

(C) describe strategies for the coordinated development of the Trail, including an interpretive plan for facilities, waysides, roadside pullouts, exhibits, media, and programs that present the story of the floods to the public effectively; and

(D) identify potential partnering opportunities in the development of interpretive facilities and educational programs to educate the public about the story of the floods.

(f) **COOPERATIVE MANAGEMENT.**—

(1) **IN GENERAL.**—In order to facilitate the development of coordinated interpretation, education, resource stewardship, visitor facility development and operation, and scientific research associated with the Trail and to promote more efficient administration of the sites associated with the Trail, the Secretary may enter into cooperative management agreements with appropriate officials in the States of Montana, Idaho, Washington, and Oregon in accordance with the authority provided for units of the National Park System under section 3(l) of Public Law 91-383 (16 U.S.C. 1a-2(l)).

(2) **AUTHORITY.**—For purposes of this subsection only, the Trail shall be considered a unit of the National Park System.

(g) **COOPERATIVE AGREEMENTS.**—The Secretary may enter into cooperative agreements with public or private entities to carry out this Act.

(h) **EFFECT ON PRIVATE PROPERTY RIGHTS.**—Nothing in this Act—

- (1) requires any private property owner to allow public access (including Federal, State, or local government access) to private property; or
- (2) modifies any provision of Federal, State, or local law with respect to public access to or use of private land.

(i) **LIABILITY.**—Designation of the Trail by section 4(a) does not create any liability for, or affect any liability under any law of, any private property owner with respect to any person injured on the private property.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act, of which not more than \$12,000,000 may be used for development of the Trail.

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

The bill (S. 206), as amended, was read the third time and passed.

#### COLUMBIA SPACE SHUTTLE MEMORIAL ACT OF 2005

The Senate proceeded to consider the bill (S. 242) to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

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

S. 242

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 “Columbia Space Shuttle Memorials Act of 2005”].

#### SEC. 2. DEFINITIONS.

[In this Act:

[(1) **MEMORIAL.**—The term “memorial” means each of the memorials to the Space Shuttle Columbia established by 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. 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;