

In the exercising of our public trust, the Federal Government protects and preserves the public interest in our Federal lands. I am confident, however, that there is little public interest in turning our Federal lands into toll booths or roadblocks on the information superhighway or along the path of any of our Nation's critical infrastructures.

In 1999 and 2000, revisions to the right-of-way rental fee schedules by the Bureau of Land Management and the U.S. Forest Service led to some fiber optic telecommunications companies receiving fee increases of 100 to 150 times their previous annual bills.

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Congress put a temporary halt to these interim revisions to existing right-of-way regulations in the fiscal year 2001 appropriations bill.

As the agent situation proceedings toward the rulemaking process required to change existing right-of-way fees, it is important that their responsibilities regarding the determination and collection of right-of-way fees be clear and that we avoid a reiteration of the previous misguided proposals.

A permanent solution must be found. H.R. 3258, the Reasonable Right-of-Way Fees Act, is that solution. H.R. 3258 clarifies the responsibilities we have to protect the value of Federal lands, explicitly limiting fees we charge for rights-of-way to the value of those lands.

As a representative of the most rural State in the country, I recognize the tremendous value the vast open spaces of our rural West has, including the lands managed by the Federal Government. These lands should not become an obstacle to infrastructure development. Charging fair market value for the use of Federal lands does not mean a share in the revenues associated with the facilities crossing Federal lands.

H.R. 3258 was introduced to help guarantee that Federal lands will continue to be protected as valuable national resources and ensures that these lands will not present unnecessary obstacles to infrastructure deployment and improvement.

During the Committee on Resources's legislative hearing on H.R. 3258, the BLM witness testified that the methodology laid out in the bill may be too prescriptive and would mandate the BLM and other agencies do more than one appraisal when determining the rental fee right-of-way for an individual. During the Committee on Resources' consideration of H.R. 3258, I offered an amendment in the nature of a substitute that simply codified the existing BLM regulations.

These regulations, which were promulgated in 1987, lay out a formula for the right-of-way fee schedule based solely on the value of the land. This methodology will prevent the spikes and fluctuations many telecommunications and pipeline companies found when the BLM and Forest Service val-

ued the right-of-way by the revenue generated by the products that crossed Federal lands.

The substitute that was accepted by the committee will ensure a fair return to the Federal Government by directing the Secretaries of the Interior and Agriculture to annually assess the changes in the land values and predicate the fee schedule formula on those land value increases.

We all know that land values typically will increase over time. They do not, however, increase by uncontrollable increments like a throughput valuation that had been used does.

H.R. 3258 is endorsed by, among others, the TelROW Coalition, which represents the interests of telecommunications companies providing services throughout the country.

I want to thank the Departments of the Interior and Agriculture for their help in providing guidance on this complicated issue and for their instruction memorandum issued to field officials ensuring that the right-of-way rental fees will be based solely on land values.

Mr. Speaker, I look forward to the House's swift passage of this bill and prompt consideration by the Senate.

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

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

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I first want to thank the gentlewoman for being the primary sponsor of this proposed legislation.

The Federal Lands Policy Management Act requires those seeking a right-of-way across Forest Service or BLM land to pay a fee based on the fair market value of that right-of-way. Despite this requirement, however, investigations conducted by the Department of the Interior's Inspector General and the General Accounting Office have provided ample evidence that the right-of-way fees currently being charged by the agencies are far below fair market value.

Mr. Speaker, States, local governments, and private individuals all charge significantly more than the Federal Government for the rights-of-way across lands they own. In particular, the Inspector General report estimated that the fees charged by the BLM were as much as \$50 million below fair market value. This undercharging means that large corporations who stand to make vast profits on the use of public lands are not being required to pay the American people a fair rate of return for that privilege.

As a result, Mr. Speaker, we share the desire of the gentlewoman from Wyoming (Mrs. CUBIN) to correct this problem. While we had some concerns regarding the multiple appraisal approach contained in the bill as introduced, in working with the gentlewoman from Wyoming we feel we have

agreed on an approach that will address this problem more effectively.

Mr. Speaker, as amended, H.R. 3258 will require the agencies to review their existing fee schedules, and the land valuations which underlie them, to ensure that they represent current values. In addition, this measure will ensure that, once these new fees have been promulgated, they will be adjusted annually for inflation.

This approach, Mr. Speaker, may not be perfect, but it certainly is an improvement over the status quo and should move us closer to a system that adequately compensates the taxpayers for the use of their lands.

I would like to once again thank the gentlewoman from Wyoming for her willingness to work with us on this side of the aisle, and I urge the adoption of this proposed bill.

Mrs. CUBIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 3258, 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.

The title of the bill was amended so as to read:

Amend the title so as to read: "A bill to amend the Federal Land Policy and Management Act of 1976 and the Mineral Leasing Act to clarify the method by which the Secretary of the Interior and the Secretary of Agriculture determine the fair market value of certain rights-of-way granted, issued, or renewed under these Acts."

A motion to reconsider was laid on the table.

#### FLIGHT 93 NATIONAL MEMORIAL ACT

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3917) to authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3917

*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 "Flight 93 National Memorial Act".*

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Passengers and crewmembers of United Airlines Flight 93 of September 11, 2001, courageously gave their lives, thereby thwarting a planned attack on our Nation's Capital.

(2) In the months since the historic events of September 11, thousands of people have visited the Flight 93 site, drawn by the heroic action and sacrifice of the passengers and crew aboard Flight 93.

(3) Many are profoundly concerned about the future disposition of the crash site, including grieving families of the passengers and crew, the people of the region who are the current stewards of the site, and a broad spectrum of citizens across the United States. Many of these people are forming the Flight 93 Task Force as a broad, inclusive organization to provide a voice for all interested and concerned parties.

(4) The crash site commemorates Flight 93 and is a profound symbol of American patriotism and spontaneous leadership of citizen-heroes. The determination of appropriate recognition at the crash site of Flight 93 will be a slowly unfolding process in order to address the interests and concerns of all interested parties. Appropriate national assistance and recognition must give ample opportunity for those involved to voice these broad concerns.

(5) It is appropriate that the crash site of Flight 93 be designated a unit of the National Park System.

(b) **PURPOSES.**—The purposes of this Act are as follows:

(1) To establish a national memorial to honor the passengers and crew of United Airlines Flight 93 of September 11, 2001.

(2) To establish the Flight 93 Advisory Commission to assist with consideration and formulation of plans for a permanent memorial to the passengers and crew of Flight 93, including its nature, design, and construction.

(3) To authorize the Secretary of the Interior (hereinafter referred to as the "Secretary") to coordinate and facilitate the activities of the Flight 93 Advisory Commission, provide technical and financial assistance to the Flight 93 Task Force, and to administer a Flight 93 memorial.

### SEC. 3. MEMORIAL TO HONOR THE PASSENGERS AND CREWMEMBERS OF FLIGHT 93.

There is established a memorial at the September 11, 2001, crash site of United Airlines Flight 93 in the Stonycreek Township, Somerset County, Pennsylvania, to honor the passengers and crew of Flight 93.

### SEC. 4. FLIGHT 93 ADVISORY COMMISSION.

(a) **ESTABLISHMENT.**—There is established a commission to be known as the "Flight 93 Advisory Commission" (hereafter in this Act referred to as the "Commission").

(b) **MEMBERSHIP.**—The Commission shall consist of 15 members, including the Director of the National Park Service, or the Director's designee, and 14 members appointed by the Secretary from recommendations of the Flight 93 Task Force.

(c) **TERM.**—The term of the members of the Commission shall be for the life of the Commission.

(d) **CHAIR.**—The members of the Commission shall select the Chair of the Commission.

(e) **VACANCIES.**—Any vacancy in the Commission shall not affect its powers if a quorum is present, but shall be filled in the same manner as the original appointment.

(f) **MEETINGS.**—The Commission shall meet at the call of the Chairperson or a majority of the members, but not less often than quarterly. Notice of the Commission meetings and agendas for the meetings shall be published in local newspapers in the vicinity of Somerset County and in the Federal Register. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

(g) **QUORUM.**—A majority of the members serving on the Commission shall constitute a quorum for the transaction of any business.

(h) **NO COMPENSATION.**—Members of the Commission shall serve without compensation, but may be reimbursed for expenses incurred in carrying out the duties of the Commission.

(i) **DUTIES.**—The duties of the Commission shall be as follow:

(1) Not later than 3 years after the date of the enactment of this Act, the Commission shall submit to the Secretary and Congress a report con-

taining recommendations for the planning, design, construction, and long-term management of a permanent memorial at the crash site.

(2) The Commission shall advise the Secretary on the boundaries of the memorial site.

(3) The Commission shall advise the Secretary in the development of a management plan for the memorial site.

(4) The Commission shall consult and coordinate closely with the Flight 93 Task Force, the Commonwealth of Pennsylvania, and other interested parties, as appropriate, to support and not supplant the efforts of the Flight 93 Task Force on and before the date of the enactment of this Act to commemorate Flight 93.

(5) The Commission shall provide significant opportunities for public participation in the planning and design of the memorial.

(j) **POWERS.**—The Commission may—

(1) make such expenditures for services and materials for the purpose of carrying out this Act as the Commission considers advisable from funds appropriated or received as gifts for that purpose;

(2) subject to approval by the Secretary, solicit and accept donations of funds and gifts, personal property, supplies, or services from individuals, foundations, corporations, and other private or public entities to be used in connection with the construction or other expenses of the memorial;

(3) hold hearings, enter into contracts for personal services and otherwise;

(4) do such other things as are necessary to carry out this Act; and

(5) by a vote of the majority of the Commission, delegate such of its duties as it determines appropriate to employees of the National Park Service.

(k) **TERMINATION.**—The Commission shall terminate upon dedication of the completed memorial.

### SEC. 5. DUTIES OF THE SECRETARY.

The Secretary is authorized to—

(1) provide assistance to the Commission, including advice on collections, storage, and archives;

(2) consult and assist the Commission in providing information, interpretation, and the conduct of oral history interviews;

(3) provide assistance in conducting public meetings and forums held by the Commission;

(4) provide project management assistance to the Commission for planning, design, and construction activities;

(5) provide programming and design assistance to the Commission for possible memorial exhibits, collections, or activities;

(6) provide staff assistance and support to the Commission and the Flight 93 Task Force;

(7) participate in the formulation of plans for the design of the memorial, to accept funds raised by the Commission for construction of the memorial, and to construct the memorial;

(8) acquire from willing sellers the land or interests in land for the memorial site by donation, purchase with donated or appropriated funds, or exchange; and

(9) to administer the Flight 93 memorial as a unit of the National Park System in accordance with this Act and with the laws generally applicable to units of the National Park System such as the Act of August 25, 1916 (39 Stat. 585).

### SEC. 6. CLARIFICATION OF PASSENGERS AND CREW.

For the purposes of this Act, the terrorists on United Airlines Flight 93 on September 11, 2001, shall not be considered passengers or crew of that flight.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

Mr. Speaker, it is truly an honor for me to manage this bill introduced by the gentleman from Pennsylvania (Mr. MURTHA). He certainly is a statesman in this body, and it is an honor for me to be able to work with him on this issue.

H.R. 3917 would establish a national memorial in Somerset County, Pennsylvania, at the site where United Airlines Flight 93 crashed on September 11. The legislation would designate the memorial as a unit of the National Park System, while also establishing a 15-member advisory commission comprised of various stakeholders, including the family members of victims, rescue workers, landowners, locally elected officials, and other important stakeholders to advise the Secretary of the Interior regarding the design, construction, and long-term management of the memorial. The commission would then dissolve upon the dedication of the memorial.

Mr. Speaker, I am sure that I speak for every Member of this body when I express my deep gratitude for the heroic efforts of the crew and the passengers that fought to keep Flight 93 from carrying out their intended act of terrorism on this Nation's capital.

As thousands and thousands of people have visited the crash site in Pennsylvania to pay their respects and to reflect upon what took place that day, it has become even more clear that this deep gratitude is shared by all Americans.

I believe that this is an appropriate way of honoring these heroes and keeping their memory alive. Thousands and thousands of future Americans will no doubt visit this site and reflect upon the courage of those who were first to begin to fight back against America's attackers in its war on terrorism.

While the establishment of this memorial does depart from the normal process of studying a potential site prior to its establishment, and allowing the passage of time in order to permit history to make its judgment about the historical significance of a particular site, we share the opinion expressed by the National Park Service that this site is so clearly nationally significant and important to contemporary America that recognition now is totally appropriate.

Mr. Speaker, this legislation is supported on both sides of the aisle, as well as by the administration; and I urge support for this bill.

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

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

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, this bill is proposed by my good friend, the distinguished gentleman from Pennsylvania (Mr. MURTHA), the ranking member of the Subcommittee on

Defense of the Committee on Appropriations.

Mr. Speaker, with all of the bills we have considered relating to the events of September 11 of last year, we would like to first say our thoughts and prayers continue to go out to those affected by the events of that awful day. While we as a Nation have attempted to go on with our lives, the tragedy and loss of that day will never be forgotten or taken out of our hearts and minds.

The scope and severity of that terrible tragedy make it difficult to know how best to memorialize those who were lost, but the legislation of the gentleman from Pennsylvania focuses on memorializing the heroism of those aboard United Flight 93 and the tragedy of their loss. These are the events which mostly affected the families he represents, and we fully support this legislation.

Mr. Speaker, I had the recent privilege of accompanying the gentleman from Pennsylvania (Mr. WELDON), another colleague from Pennsylvania, with eight other Members of Congress to visit Uzbekistan, where we do the majority of our major staging area for our troops in going and fighting the war in Afghanistan. What struck me, Mr. Speaker, was that one of the units there, an Air Force unit, had a slogan. They took this slogan from the last words that were given by one of the gentlemen on board this Flight 93, and it was simply this: "Let's roll." This Air Force unit had adopted this slogan, "Let's Roll," to honor the heroes of Flight 93.

For all I know, Mr. Speaker, many of us in this body, Members and staff, may not be here if it had not been for the heroic acts of those passengers willing to sacrifice their lives so that we and the many of us here might live. I hope we will never forget that.

We want to continue working with all our colleagues regarding appropriate reactions to the events of September 11. It is our hope that over time we may gain the wisdom and perspective to devise a memorial or series of memorials that will tell the story of these attacks; of the people who are lost, their families, and our resulting efforts to end the threat of terrorism in such a way that future generations will never forget these events. Better yet, Mr. Speaker, perhaps such a memorial could in some small way reduce the chance that any future generation will have to endure such a tragedy.

I want to say for the RECORD, Mr. Speaker, that I commend the gentleman from Pennsylvania, as the dean of the great State of Pennsylvania's delegation, and will support him in whatever way he sees fit on how we might best honor those heroes of United Flight 93.

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

Mrs. CUBIN. Mr. Speaker, I yield myself such time as I may consume, and I rise now to speak on behalf of our friend and colleague, the gentleman

from Pennsylvania (Mr. SHUSTER), who has worked very hard getting this bill to this point.

He is stuck in traffic right now, and so I just wanted to rise to let the body know that he is in great support of this bill, has done a great job in getting it through the committee, has addressed all of the concerns that anyone has had, and he is very much committed to getting this memorial built, and hoping that in doing so will bring some comfort to the families of those people that died, as the gentleman from American Samoa (Mr. FALEOMAVAEGA), has just expressed for us.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I am honored to yield such time as he may consume to the gentleman from Pennsylvania (Mr. MURTHA), the primary sponsor of this proposed bill.

Mr. MURTHA. Mr. Speaker, I want to express my appreciation to the gentlewoman from Wyoming for her eloquent statement, as well as the gentleman from American Samoa.

Mr. Speaker, the gentleman from California (Mr. LEWIS), chairman of the Subcommittee on Defense, and I were both in the Capitol on September 11. We saw the crash on television of the World Trade Center, and we evacuated the Capitol before we marked up our bill. We then went outside and saw the plume of smoke from the Pentagon and heard that there was a plane, of course, coming towards the Capitol, which was the reason we evacuated it.

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We heard a sonic boom which we thought was an explosion.

The next morning, we drove to the site, and the plane had completely incinerated. On the way back I heard the reports of the telephone calls between the passengers and the people at home. Of course, in those reports, there was an immediate idea that these people were going to bring that plane down so the same tragedy would not occur that occurred in New York and at the Pentagon.

Imagine this, we have been taught if a plane is hijacked, we sit passively and wait until they land the plane. We do not take any action. That was the way we were supposed to respond. They got the reports from the families, and they realized this was a different situation entirely. Of course, the terrorists miscalculated, thinking that the United States was soft, thinking the United States was all kinds of adjectives that they have used against this great country. They found out that the people on board were not going to give up easily. They made an instantaneous decision. They brought that plane down, missing Johnstown by a few seconds, missing an airport by a few seconds, and missing an elementary school by a few seconds. The people in Shanksville, Somerset County, reacted almost instantaneously. Within 5 or 6 minutes, volunteer firemen were at the site.

The next day when I got there at 7 or 8 in the morning, the FBI was there. They had taken charge because it was a criminal investigation, volunteer firemen were there, State police were there, and they had it under control. All that was left was the rubble from the airplane. The tail had completely collapsed into the center and the nose section of the airplane.

When I think of the great courage that these people displayed in this action, it makes me realize what the terrorists did not realize, that this was one of the most heroic acts, and it defined the United States at a time in our history, that we are not going to sit back and allow terrorism to destroy this great country. Those folks took action and we are proud of them.

Let me say in addition to them, I have talked to the families, and the families at first felt it ought to be a memorial and bury the remains someplace else. But then they realized that 90 percent of the remains are there.

I appreciate what the committee has done. As the gentlewoman from Wyoming (Mrs. CUBIN) said, normally these things takes years before we determine what needs to be done. This was obvious that it needed some fast action, and the families who have been so good, the fact that they realized that their loved ones were heroes, and they want to say how much they would appreciate this. I told them that we will try to get it done this summer, and we have done it. I appreciate what Members have done because this is an extraordinary action by the Congress to get something like this done so quickly. I represent the area this year, because of reapportionment, the gentleman from Pennsylvania (Mr. SHUSTER) will represent it next year. Both of us appreciate the action of the committee.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, let me say it is really impressive that the gentleman has gotten this job accomplished in this length of time. It is very important that Americans, and also people around the world know that America is standing together regarding that for which those brave men and women gave their lives. Indeed, they sacrificed themselves to make sure that further disaster did not take place on that day.

The further irony is that the Appropriations Subcommittee on Defense, which handles national defense, was meeting that morning. We usually have our people meet about 9:30 for rolls and coffee, because we want them to be at the meeting at 10, but we were there early and witnessed these planes flying into the World Trade Center. None of us knew what was going on in Pennsylvania. Indeed, I am not sure that we would have gotten notice if the terrorists had been successful. They could have had, as their target, the White

House, or they could have had the symbol of this country's freedom, the Capitol of the United States. If that was the case, we might very well have been struck.

We abandoned our work and left the Capitol, as everybody else did. But, indeed, if the terrorists had been successful, we might not have had a chance. Literally, those brave men and women set the stage that day for the President of the United States to declare war on terrorism.

Together we stand firm to fight for that battle, for the very civilization we believe so much in is at stake, and I believe the freedom of the world may very well be at stake. I congratulate the gentleman from Pennsylvania (Mr. MURTHA) who is a fantastic partner in our business, in defense appropriations. But more importantly, this symbol will be there forever, and it is a reflection of what we are willing to give that freedom might live.

Mr. MURTHA. Mr. Speaker, reclaiming my time, from Pennsylvania to California to Wyoming to American Samoa, this is a piece of legislation that will be remembered long after we are gone, and a monument to some real heroes of this great country, which defines what America is all about.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from California (Mr. LEWIS), the chairman of the Appropriations Subcommittee on Defense, and the dean of the Pennsylvania delegation, the gentleman from Pennsylvania (Mr. MURTHA) for their eloquent remarks in reference to this legislation.

I would be remiss if I do not thank the gentlewoman from Wyoming (Mrs. CUBIN), and even though she has yielded her time, I would be happy to yield to the gentlewoman.

Mrs. CUBIN. Mr. Speaker, will the gentleman yield?

Mr. FALEOMAVAEGA. I yield to the gentlewoman from Wyoming.

Mrs. CUBIN. Mr. Speaker, I thank the gentleman for yielding, and just say how much I have enjoyed working with the gentleman for the past 8 years now. He is a gentleman, a statesman, and always interested in what is best for the United States and for American Samoa, and I am very grateful.

Mr. FALEOMAVAEGA. Mr. Speaker, it is my sincere hope that this legislation will be taken in the most expedient manner, not only from this Chamber, but certainly from the other body, so we can make the most appropriate arrangements. Again, I thank the gentleman from Pennsylvania (Mr. MURTHA) for his remarks and personal experience relative to what happened to United Flight 93.

Mr. Speaker, there was no question where that plane was headed towards. It was headed towards Washington, D.C. It could have been any one of us here. It could have been our office buildings that flight was headed for. Again, I thank the gentleman whose last words before communications cut

out, he simply said, "Let's roll." I want to pay that special tribute and honor to that gentleman, and all of the passengers on Flight 93 as to that act of heroism as to why we are alive today.

Mr. HOLT. Mr. Speaker, I am pleased to join with my colleagues in support of this legislation to establish a memorial for the brave men and women of Flight 93, who perished in the terrorist attacks of September 11. All Americans should honor these brave Americans. And this legislation is one important way to see that all Americans remember their tremendous courage and sacrifice.

Earlier this year, I carried through legislation to honor one Flight 93 hero, Todd Beamer, of Cranbury New Jersey, in my district.

The band of passengers on Flight 93 who fought the hijackers, saved hundreds, perhaps thousands of lives that would have been taken if that plane reached the hijackers' intended target. And it is worth nothing that none of those people whose lives were saved know who they are. They will never know. But all Americans can be grateful.

The memory of the people on board Flight 93 reminds us that this is not the last time that America will need heroes. The survival of American ideals depends day in and day out on ordinary Americans stepping out of their ordinary lives to do extraordinary things, courageous things.

It is appropriate, I think, that people will be able to find inspiration as they look at this memorial and pause for a moment to reflect on the essence of America, what we can extract from these American's heroism. While we are designating a memorial to these passengers, they have left their own lasting memorial for us all, by their example.

I take great pride in joining with my colleagues in supporting this important bill.

Mr. SHUSTER. Mr. Speaker, I rise today in support of H.R. 3917, the Flight 93 National Memorial Act. This important measure would pay tribute to the passengers of Flight 93. These brave men and women made the ultimate sacrifice in an effort to protect their countrymen. It is only fitting that we establish a lasting memorial to these brave individuals.

As we debate this measure, in this most revered of halls, I cannot help but contemplate the possibility that Flight 93 was headed to a target here in the Nation's Capitol—quite possibly right here to the Capitol itself. We will, however, never know for sure where that doomed flight was headed. We will never know, because men and women, put love of country ahead of self preservation. These were not super heroes, but individuals just like you and me. Individuals with families and loved ones anxiously awaiting their return, who put aside their own desires and stood up to combat terrorism and save countless lives.

Mr. Speaker, shortly after the tragic events of September 11th, I had the opportunity to attend a memorial service for the passengers of Flight 93 in my home state of Pennsylvania. I was moved by the outpouring of support for the families of those who died. I knew immediately that this was indeed hallowed ground.

Already thousands of visitors have flooded to Pennsylvania to pay their respects to these brave men and women and many more are expected to come. We must provide the American people with a proper place to both bring their grief as well as for them to pay honor and tribute to those who gave so much.

The legislation before us today lays out a fair and balanced approach for construction of a memorial for these brave individuals. The legislation calls for the creation of the Flight 93 Advisory Commission which would be composed of representatives from the families of victims, the local community, the state of Pennsylvania and the United States Government. The Commission would then submit their recommendations to the Secretary of the Interior.

Mr. Speaker, we have all been inspired by the many heroes who have emerged in the wake of September 11th. The passengers aboard Flight 93 are certainly heroes. These brave men and women put the love of their country before themselves and are responsible for saving the lives of many. It is only proper that we construct a memorial where all Americans can come and honor these immensely courageous individuals. I urge passage of the Flight 93 Memorial Act.

Mrs. ROUKEMA. Mr. Speaker, I rise today in support of this resolution that honors the great bravery, courage, and patriotism of the crew and passengers aboard United Airlines Flight 93, including my constituent Jeremy Glick of West Milford, New Jersey. Though we may never know what took place in the final minutes on that flight, we can be certain that because of Jeremy's actions, along with other passengers and crew members, lives were saved. Not only do the passengers and crew of Flight 93 deserve the highest of honors and a permanent place in our Nation's memory, but they also deserve our immense gratitude.

Aboard the fated flight which crashed in Pennsylvania, Jeremy Glick was one of the heroes who bravely and selflessly sacrificed his own life after providing important details about the terrorists' actions over his cell phone. We know that Jeremy helped to take down the terrorist, armed only with a plastic dinner knife. As United Flight 93 crashed prematurely in Pennsylvania, Air Force One changed its route and the White House and Capitol Building were evacuated. The potential destruction and loss of more innocent lives were averted in part because of Jeremy's heroic actions. I am overwhelmed by his selfless defense of civilian lives and his country. Such patriotism and valor demands our recognition and our thanks.

Out of this tragedy, our Nation has emerged stronger and prouder than ever. Our spirit is inspired by the stories of the brave men and women of that day—true heroes of our country. This is what this monument will stand for—their memory and stories that inspire us, now and for years to come. The Flight 93 memorial will allow generation after generation to remember and honor Jeremy and all those on the flight for their exceptional bravery, valor, and patriotism.

Shortly before September 11th, Jeremy's wife Lyzebth gave birth to a beautiful daughter, Emerson. The photos of Jeremy and Emerson move me immensely as I witness the love and pride in Jeremy's eyes for his daughter. Emerson will see these same photos one day, and know of the love her father had for her. Let us, as a Congress and as a country, allow her to know the tremendous service her father did for America on September 11th.

Although there are no flags or pieces of legislation that can relieve the sorrow of the families of these victims, I hope that they will take comfort in the fact that their loved ones will

not be forgotten. I urge my colleagues to join me in commemorating the lives of the crew and passengers of United Flight 93 with this national memorial in Somerset County, Pennsylvania.

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 3917, 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.

#### LOWER RIO GRANDE VALLEY WATER RESOURCES CONSERVATION AND IMPROVEMENT OF 2001

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2990) to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects under that Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2990

*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 "Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2001".*

#### SEC. 2. AUTHORIZATION OF ADDITIONAL PROJECTS UNDER THE LOWER RIO GRANDE VALLEY WATER RESOURCES CONSERVATION AND IMPROVEMENT ACT OF 2000.

*Section 4(a) of the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 (Public Law 106-576; 114 Stat. 3067) is amended by adding at the end the following:*

*"(5) In the United Irrigation District of Hidalgo County, Texas, a pipeline and pumping system as identified in the Sigler, Winston, Greenwood, Associates, Incorporated, study dated January 2001.*

*"(6) In the Cameron County, Texas, Irrigation District No. 2, proposed improvements to Canal C, as identified in the February 8, 2001, engineering report by Martin, Brown, and Perez.*

*"(7) In the Cameron County, Texas, Irrigation District No. 2, a proposed Canal C and Canal 13 Inner Connect, as identified in the February 12, 2001, engineering report by Martin, Brown, and Perez.*

*"(8) In Delta Lake Irrigation District of Hidalgo and Willacy Counties, Texas, proposed water conservation projects, as identified by the AW Blair Engineering report of February 13, 2001.*

*"(9) In the Hidalgo and Cameron County, Texas, Irrigation District No. 9, a proposed project to salvage spill water using automatic control of canal gates as identified in the AW Blair Engineering report dated February 14, 2001.*

*"(10) In the Brounville Irrigation District of Cameron County, Texas, a proposed main canal replacement as outlined in the Holdar-Garcia & Associates engineering report dated February 14, 2001.*

*"(11) In the Hidalgo County, Texas, Irrigation District No. 16, a proposed off-district pump station project as identified by the Melden & Hunt,*

*Incorporated, engineering report dated February 14, 2001.*

*"(12) In the Hidalgo County, Texas, Irrigation District No. 1, a proposed canal replacement of the North Branch East Main, as outlined in the Melden & Hunt, Incorporated, engineering analysis dated February, 2001.*

*"(13) In the Donna (Texas) Irrigation District, a proposed improvement project as identified by the Melden & Hunt, Incorporated, engineering analysis dated February 13, 2001.*

*"(14) In the Hudspeth County, Texas, Conservation and Reclamation District No. 1, the Alamo Arroyo Pumping Plant water quality project as identified by the engineering report and drawings by Gebhard-Sarma and Associates dated July 1996 and the construction of a 1,000 acre-foot off-channel regulating reservoir for the capture and conservation of irrigation water, as identified in the engineering report by AW Blair Engineering dated June 2002.*

*"(15) In the El Paso County, Texas, Water Improvement District No. 1, the Riverside Canal Improvement Project Phase I Reach A, a canal lining and water conservation project as identified by the engineering report by AW Blair Engineering dated June 2002.*

*"(16) In the Maverick County, Texas, Water Improvement and Control District No. 1, the concrete lining project of 12 miles of the Maverick Main Canal, identified in the engineering report by AW Blair Engineering dated June 2002.*

*"(17) In the Hidalgo County, Texas, Irrigation District No. 6, rehabilitation of 10.2 miles of concrete lining in the main canal between Lift Stations Nos. 2 and 3 as identified in the engineering report by AW Blair Engineering dated June 2002.*

*"(18) In the Hidalgo County, Texas, Irrigation District No. 2, Wisconsin Canal Improvements as identified in the Sigler, Winston, Greenwood & Associates, Incorporated, engineering report dated February 2001.*

*"(19) In the Hidalgo County, Texas, Irrigation District No. 2, Lateral 'A' Canal Improvements as identified in the Sigler, Winston, Greenwood & Associates, Incorporated, engineering report dated July 25, 2001."*

#### SEC. 3. AMENDMENTS TO THE LOWER RIO GRANDE VALLEY WATER RESOURCES CONSERVATION AND IMPROVEMENT ACT OF 2000.

*The Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 (Public Law 106-576; 114 Stat. 3065 et seq.) is further amended as follows:*

*(1) Section 3(a) is amended in the first sentence by striking "The Secretary" and all that follows through "in cooperation" and inserting "The Secretary, acting through the Bureau of Reclamation, shall undertake a program under cooperative agreements".*

*(2) Section 3(b) is amended to read as follows:*

*"(b) PROJECT REVIEW.—Project proposals shall be reviewed and evaluated under the guidelines set forth in the document published by the Bureau of Reclamation entitled 'Guidelines for Preparing and Reviewing Proposals for Water Conservation and Improvement Projects Under P.L. 106-576', dated June 2001."*

*(3) Section 3(d) is amended by inserting before the period at the end the following: ", including operation, maintenance, repair, and replacement".*

*(4) Section 3(e) is amended by striking "the criteria established pursuant to this section" and inserting "the guidelines referred to in subsection (b)".*

*(5) Subsection (f) of section 3 is amended by striking "to prepare" and all that follows through the end of the subsection and inserting "to have the Secretary prepare the reports required under this section. The Federal share of the cost of such preparation by the Secretary shall not exceed 50 percent of the total cost of such preparation."*

*(6) Section 3(g) is amended by striking "\$2,000,000" and inserting "\$8,000,000".*

*(7) Section 4(b) is amended—*

*(A) in the first sentence by striking "costs of any construction" and inserting "total project cost of any project"; and*

*(B) in the last sentence by inserting "the actual" before "funds".*

*(8) Section 4(c) is amended by striking "\$10,000,000" and inserting "\$47,000,000 (2001 dollars)".*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from Texas (Mr. ORTIZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

Mr. Speaker, H.R. 2990, the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2001, will amend Public Law 106-576. This legislation adds 14 new water conservation projects, increases study authorizations from \$2 million to \$8 million, and increases facility construction authorizations from \$10 million to \$47 million.

The Rio Grande has been severely impacted, as have most areas in the west, by drought conditions during the last decade. Many of these drought conditions are the worse that have ever been seen, at least recorded. These droughts conditions have made it difficult to supply Rio Grande water to the 7 million people who depend on it. Implementation of significant improvements to irrigation canal delivery systems, aggressive water conservation programs, and improved water management are critical needs that must be taken seriously. H.R. 2990 will work within the existing framework of Public Law 106-576 to address these critical needs.

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

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

(Mr. ORTIZ asked and was given permission to revise and extend his remarks.)

Mr. ORTIZ. Mr. Speaker, first, let me thank my colleagues on the Committee on Resources, particularly the gentleman from California (Mr. CALVERT) who has been a local hero back home in South Texas for his interest and work on this bill. South Texas also would like to thank the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) for their attention to our situation and understanding, and their willingness to move this urgent bill forward. I also want to thank the staff. We had an opportunity to travel to my district, and we had hearings.

The South Texan who deserves great credit for House consideration today is the gentleman from Texas (Mr. BONILLA), our distinguished appropriations cardinal whose personal involvement in this legislation has been pivotal to our success today. The gentleman from Texas (Mr. BONILLA) and I co-chair the House Border Caucus, and he is an important player for all of us