

extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

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

Mr. Speaker, S. 1066 introduced by Senator KAY BAILEY HUTCHISON will remove 19 acres of private property that has been mistakenly included within the Coastal Barrier Resources System. An identical bill, H.R. 154, has been proposed by the gentleman from Texas (Mr. PAUL). I compliment him for his leadership on behalf of this measure.

Specifically, the Matagorda dunes subdivision in Matagorda, Texas, was placed into the system despite the fact that a full complement of infrastructure, including roads and electricity, existed prior to 1977 and that it exceeded the number of structures per acre rule that is required for inclusion under the act.

For more than 20 years, these homeowners were told they were not within the system and therefore eligible for both Federal flood insurance and State wind insurance. These policies have now been canceled, and it is essential that this mistake be corrected so that their property can be protected from any future flooding problems. It is difficult, if not impossible, to sell coastal property or obtain a home mortgage without access to Federal flood insurance.

During the hearing before the Committee on Resources on this legislation, the administration expressed strong support and a local county judge testified, "A mistake was made 21 years ago that placed this little subdivision in CBRA. It does not matter who made the mistake, but now since the mistake has come to light, please help us fix it."

Finally, the House version of this bill was unanimously approved by the Committee on Resources. I urge my colleagues to support Senate 1066. I again compliment the gentleman from Texas (Mr. PAUL) for representing his constituents in such an effective way.

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

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

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, S. 1066 is a noncontroversial piece of legislation that is identical to companion legislation, H.R. 154, passed and reported by the Committee on Resources earlier this year as was just addressed by my colleague.

By all evidence this technical correction appears to be genuine and needed to fix a legitimate error in the maps depicting the Matagorda subdivision in Unit T-07. For this reason and because this legislation would not undermine the policies of the Coastal Barrier Re-

sources Act, Members should not oppose this legislation, and I recommend they vote for it.

Mr. PAUL. Mr. Speaker, I am pleased to support S. 1066, the Senate version of my H.R. 154, which I introduced on the first day of the 108th Congress. This legislation fixes a mistake in the official Fish and Wildlife Services' maps by removing a 19-acre area known as Matagorda Dunes, in Matagorda County, Texas, from the John H. Chafee Coastal Barrier Resources Act (COBRA). This change is fully supported by the Fish and Wildlife Service. In fact, a Fish and Wildlife Service created map, dated July 12, 2002, acknowledges the error.

This change will ensure property owners who had already begun developing this area are able to obtain insurance. Congress never intended to deny these landowners access to insurance. Matagorda Dunes was included in COBRA as a result of a drafting error when the COBRA maps were revised in the early eighties. Unless this mistake is fixed, the result could be catastrophic for these property owners who invested in developing Matagorda Dunes under the belief that the land was excluded from COBRA. A failure to fix this mistake could also be quite costly to the American taxpayers.

Fixing this mistake is also quite important to the people of Matagorda County, which is why a county official traveled to Washington to testify at a hearing on this bill in September. In conclusion, I thank Chairman POMBO and my colleague from Texas, Senator HUTCHISON, for their work on this issue and I urge my colleagues to support this important bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and pass the Senate bill, S. 1066.

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

A motion to reconsider was laid on the table.

CARPINTERIA AND MONTECITO WATER DISTRIBUTION SYSTEMS CONVEYANCE ACT OF 2003

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1648) to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District.

The Clerk read as follows:

H.R. 1648

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 "Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003".

SEC. 2. CONVEYANCE OF WATER DISTRIBUTION SYSTEMS OF THE CACHUMA PROJECT, CALIFORNIA.

(a) IN GENERAL.—The Secretary of the Interior—

(1) may convey to the Carpinteria Valley Water District, located in Santa Barbara County, California, all right, title, and interest of the United States in and to the Carpinteria Distribution System of the Cachuma Project, California, consistent with the terms and conditions set forth in the agreement entitled "Agreement Between the United States and the Carpinteria Valley Water District to Transfer Title to the Federally Owned Distribution System to the Carpinteria Valley Water District" (Agreement No. 00-XC-20-0364); and

(2) may convey to the Montecito Water District, located in Santa Barbara County, California, all right, title, and interest of the United States in and to the Montecito Water Distribution System of the Cachuma Project, California, consistent with the terms and conditions set forth in the agreement entitled "Agreement Between the United States and the Montecito Water District to Transfer Title to the Federally Owned Distribution System to the Montecito Water District" (Agreement No. 01-XC-20-0365).

(b) LIABILITY.—Effective upon the date of conveyance of a distribution system under this section, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the distribution system, except for damages caused by acts of negligence committed by the United States or by its employees or agents prior to the date of conveyance. Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code (popularly known as the Federal Tort Claims Act) on the date of the enactment of this Act.

(c) BENEFITS.—After conveyance of a water distribution system to the Carpinteria Valley Water District or the Montecito Water District under this section—

(1) such water distribution system shall not be considered to be a part of a Federal reclamation project; and

(2) such water district shall not be eligible to receive any benefits with respect to any facility comprising that distribution system, except benefits that would be available to a similarly situated person with respect to such a facility that is not part of a Federal reclamation project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE).

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

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

This bill authorizes the Secretary of the Interior to transfer specific water distribution systems of the Cachuma Project of the Carpinteria Valley Water District and the Montecito Water District in Santa Barbara County, California.