

The Federal Government—and Congress—have a legitimate interest in knowing what is happening on a Federal transportation system. We are not preventing States from doing what they want, but we and the States have a responsibility to know and squarely face the consequences of our actions.

We and the States need the facts. This report will provide the data and help guide future decisions. I urge my colleagues to support the amendment.

TRIBUTE TO FRANK REDMILES

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 1995

Mr. BORSKI. Mr. Speaker, I rise today in recognition of Frank Redmiles, a man who has dedicated 45 years of his life to bettering his family, his community, and the lives of tens of thousands of working men and women throughout Pennsylvania, New Jersey, and New York.

Frank Redmiles is retiring from four decades of toil and service in behalf of the men and women of the United Auto Workers. And while he may be retiring from active service, his legacy is certain to live on and inspire future generations of labor advocates.

From the very beginning of his working life, in 1950 at the former ITE Circuit Breaker Co. in Northeast Philadelphia, Frank Redmiles was a union man. He began in the then-independent union, the ESU, which later affiliated with the United Auto Workers.

He started out, like so many advocates, as a shop steward. He served 12 years on the United Auto Workers' negotiating committee. He became chairman, of that committee.

Frank Redmiles was in the forefront of the affiliation of the ESU with the United Auto Workers in 1969. He served as a trustee and as shop chair, and then was elected president of UAW Local 1612—a post he held for 7 years.

In 1979, Mr. Redmiles was appointed as an international representative of the UAW for southeastern Pennsylvania, and in 1985, he reached the pinnacle of his union advocacy when he was appointed Pennsylvania area director of region nine of the UAW—a post from which he represented the interests of more than 75,000 working men and women.

The 1980's, as we all know, were difficult economic times for working men and women in the United States. The constant pressures from foreign companies and foreign competition fell particularly hard on the automobile industry, and the workers of the UAW felt those pressures and hard times.

But through every one of those difficult days, months and years, Frank Redmiles never stopped fighting. He never stopped fighting for fair and equitable contracts for his rank and file. He never stopped fighting for a living wage. And he never stopped fighting to save the jobs of American workers.

And, while Mr. Redmiles was serving as such a tireless advocate for UAW workers, he was also finding time to serve his larger community as well. He served on the Philadelphia Mayor's Scholarship Advisory Committee, and he served on the city's zoning board as well, eventually as chairman. In addition, he served

on the board of the Ben Franklin Partnership, and in 1992 he was appointed to serve on the transition team of Mayor Edward G. Rendell.

Thank you, Mr. Speaker, for the opportunity to bring to the House's attention the life story and public service of Frank Redmiles, a man whose 45 years of advocacy to the cause of the working men and women of the United Auto Workers do much justice to the historic legacy of a proud American labor organization.

TONGASS TRANSFER AND TRANSITION ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 1995

Mr. YOUNG of Alaska. Mr. Speaker, throughout the West, a growing frustration with Federal land barons and their policies is rekindling the sagebrush rebellion. Nowhere are Federal land decisions more destructive to families and hard working people than in the 17 million acre Tongass forest in southeast Alaska.

In a forest that large it should be easy to balance the uses and make people happy, but the Federal Government has failed miserably.

The bill that I am introducing today gives Alaskans a chance to take control of their future in the Tongass National Forest. Today I propose a way to end the continuing Tongass brawl and give Alaskans a chance to resolve their differences at home.

When this bill becomes law, and the Alaska State Legislature and our Governor take advantage of the privilege offered in the bill, ownership of the Tongass National Forest automatically transfers to the State of Alaska. One year later when the transition period expires, management of the Tongass will be in the capable hands of Alaskans. Everyone will have a better chance of stability.

I have no choice but to make a proposal to liberate the Tongass and the Alaskans so adversely affected by the current Federal policies and requirements in the Tongass.

Since statehood, it has never been worse in the Tongass.

Nobody is happy. It takes 3 years for tourism operators to get access permits in a 17 million acre forest. Leaders in fishing groups complain existing protection for fisheries are not enforced. Crabbers fight for space and permits to store their crab pots. Cabin permits become Federal issues when simple improvements are made. Millions of dollars are spent on studies that produce no conclusions and call for more money for more studies. Even the environmentalists are so unhappy with decisions in the Tongass that they continually appeal and sue the agency.

Time after time, the Federal Government has failed those who rely on the Tongass. Congress has withdrawn 6 million acres in the Tongass only to have the agency propose even more land withdrawals. A series of new Federal laws and more impossible regulations are added.

Alaskans in the Tongass are frustrated with the leadership of the U.S. Forest Service, particularly the political appointees who control it. While they ignore the needs of Alaskans, their decisions produce no real benefit to the environment or to fish and game and do not consider the needs of people.

I told the agency heads back in January that Alaskans had suggested the type of proposal that I am making today. I told them that I was considering a proposal that would transfer their lands. I asked that they improve their policies and decisionmaking on our national forests and public lands. I have seen no improvement. Decisions just keep getting worse.

Even after the President's political appointees in the Government decided to cancel the large timber contract, they still refuse to offer timber to small business people. While 80 million board feet should be available for small mills, only 35 million board feet has been provided in the Tongass this year, most of it at the end of the season when it does little good.

Communities in southeast Alaska are suffering. Productive, hardworking people are out of work. Forty-two percent of the timber jobs are gone in Southeast. The President's political appointees who control the Federal land managers just do not seem to care. They continue to propose problems instead of solutions.

Alaskans and others realize that their State legislature is closer to the economic and ecologic needs in the Tongass. It has a much better understanding of policies that will bring peace to the Tongass than does the U.S. Congress and the Federal Forest Service.

Given the choice, a majority of southeasterners would rather see the State of Alaska own the Tongass than continue with Federal management. Fifty five percent would support a Tongass transfer to the State according to a recent poll. Alaskans clearly favor what my bill seeks to accomplish.

No particular group asked for this bill. I stress that point. No particular group asked for this bill, but I have listened to what Alaskans have been saying since the passage of the Tongass Timber Reform Act. I have discussed the ideas in this draft with Alaskans.

I have listened to our Governor of Alaska speaking through Commissioner Willie Hensley. At Senator MURKOWSKI's workshop on the Senate bill Commissioner Hensley said:

The hallmarks which guide our [state] policies in connection with the Tongass include . . . maximum self determination for the people of Southeast Alaska with respect to land management decisions which affect them, and a minimum of legislative prescriptions from Washington D.C.

My bill relies on the Governor's wisdom. My bill gives Alaskans a chance to achieve maximum self-determination for the people of southeast Alaska. There will be no running back to Washington, DC, to a Congress that uses the Tongass as a political pawn. Tongass policies will be Alaskan policies. Our Governor wants no Washington, DC, legislative mandates and that is what my bill proposes.

I also heard elected leaders of the State legislature. This year the Alaska Legislature overwhelmingly passed Senate Joint Resolution 6. That resolution noted that America's Founding Fathers knew that control of land is power. They knew that centralized Federal Government with a substantial land base would eventually overwhelm the States and threaten individual freedom. Senate Joint Resolution 6 said:

Be it resolved that the Alaska State Legislature urges the 104th Congress of the United States to . . . transfer to the states, by fee

title, any federally controlled property currently held within the states admitted to the Union since 1802.

Just last week, the Southeast Conference passed a resolution supporting the concept of transferring the Tongass to the State of Alaska. The Southeast Conference resolution said:

Now, therefore be it resolved, that Southeast Conference supports the concept of transferring the Tongass National Forest to the State of Alaska, thereby allowing maximum self-determination by the people of Alaska in resolving existing conflicts and bringing stability to our region.

I also heard from Alaskan families who now suffer as a result of Federal policies in the Tongass. People like the Gardners wrote me. They said:

DEAR DON YOUNG: My husband and I moved here to Alaska about 6 years ago so we would not have to worry about him losing his job in the logging industry, and every since . . . it seems like a lot of really good people are being put out of work. It just doesn't make a lot of sense to me why [the mills are closing.] If we only logged 4% of the Tongass National Forest in 40 years, don't you think there is plenty to go around!? Please help us keep the logging and mills and all of the families working.

Sincerely,

SHANNON, STEVE, AND
AMBER GARDNER.

My proposal is in line with what the Governor desires, is more modest than the Alaskan Legislature urged, brings decisions in the Tongass closer to those like the Gardners, and is exactly what the Southeast Conference urged in a resolution adopted last week.

This bill is a starting point. Critics and supporters should note this fact. It is a draft, a discussion piece so to speak, but it is a serious proposal. It is a proposal that I am making because the Federal Government has failed those like the Gardners and hundreds of others who write to me about what is going on in the Tongass. I have included at the close of my remarks a sampling of other letters from timber families in the Tongass.

The business of transferring an entire 17 million acre forest to a State is a complex matter. How to make the best transition to State ownership raises complicated issues. It may take some time to refine the details and I do not want to leave anyone with the impression that this is a quick fix solution.

We have talked to Alaskans about many issues raised by my bill and arrived at the draft proposal that I am introducing today. My staff and I will talk further with Alaskans as this draft proposal circulates.

We may not have thought of the best solution for every issue, but I am anxious to hear thoughtful suggestions from Alaskans and others on how to best modify the bill to ease the transition.

To be clear, we aim to get the Federal Government out of our business in the Tongass, to give decisions to Alaskans, and to accomplish this with a minimum of Federal strings attached.

Before my committee takes action on the bill, we will hold hearings. We will give Alaskans and others a chance to provide thoughtful analysis of how the transition from Federal to State ownership should work. I look forward to this process. It will be telling.

So that my proposal for Alaskans is understood, the following summary of the bill may be useful. In addition, I ask for unanimous

consent that the full text of the bill and other material appear in the RECORD immediately following the summary.

SUMMARY OF THE TONGASS TRANSFER AND
TRANSITION ACT

TONGASS TRANSFER PROCESS

Within 10 years of enactment, the State of Alaska can elect to receive 100% ownership of all of the Tongass National Forest lands.

The election is made when the legislature passes and the governor signs a bill that says (1) the state elects to receive the Tongass, (2) the land is transferred subject to valid existing rights, (3) the procedures and transition provisions of the Act apply to the transfer, and (4) the state will respect the rights guaranteed under ANCSA.

Once such a bill is passed by the legislature, signed by the governor, and the Secretary of Agriculture is notified, all of the United State's interest in the Tongass National Forest is *automatically* transferred to the State of Alaska.

At that time, a one year "transfer-transition" period begins, during which a patent (title) to the Tongass is prepared by the Secretary and several transition issues are worked out between the State and other parties. Finally, at the end of the transfer-transition period, the Secretary delivers the Tongass patent on the "patent date."

During the transfer-transition period, the Forest Service still manages the Tongass and federal law still applies. Beginning on the patent date, the State of Alaska manages the forest and Alaska law applies to land in the Tongass with limited exceptions.

On the patent date, the State generally becomes obligated for any outstanding federal obligations (such as leases, permits, licenses, and contracts). Basically the State assumes federal obligations.

TRANSITION ISSUES

Several specific issues are also addressed during the transfer-transition period:

Forest Service Employees.—During the one year transfer-transition period, the State of Alaska must interview each person employed by the Forest Service for purposes of reemployment with the State of Alaska's new administrative management system for the Tongass.

Timber Receipts to the Federal Treasury.—For ten years, 25 percent of the net timber receipts for all timber sold in the Tongass is paid to the U.S. Treasury by the State of Alaska.

Alaska Pulp Corporation Contract.—During the one year transfer-transition period, the State of Alaska must enter discussions with APC and within six months of the patent date, conclude an agreement that reinstates the APC contract. The agreement must include provisions that dismiss the APC lawsuit against the federal government and it requires the sale of the contract to a third party who agrees to construct a manufacturing facility in Southeast Alaska that utilizes pulp-grade logs.

Subsistence.—The transfer of the Tongass will not affect subsistence use or management under title VIII of ANILCA. The bill requires federal management of subsistence on transferred Tongass lands until Alaska state law complies with title VIII of ANILCA.

Landless Natives.—The State of Alaska is required to negotiate with the landless native communities and to reach agreement that allocates between 23,040 and 46,080 acres of surface estate in the Tongass. Land will be transferred for purposes of historical, cultural, economic, and subsistence use. Any timber harvested from such lands must receive primary manufacturing before it is exported from Alaska. Agreement must be reached within one year of the patent date.

Timber Receipts For Local Governments.—For ten years after the patent date, the State of Alaska must allocate 25 percent of the net timber receipts from the Tongass directly to the boroughs, municipalities, and local governments for schools, educational materials, and community roads.

Ketchikan Pulp Contract.—Beginning on the patent date, all federal obligations arising from the KPC timber sale contract shall become obligations of the State of Alaska. All benefits resulting from the KPC timber sale contract shall become benefits flowing to the State of Alaska.

Mining Claims.—Federal mining claimants are given the option, for 15 years, of holding their claims under the federal law, which is administered by the State of Alaska. The claimholder could patent the claim during that time period. After 15 years, all federal mining claims that are not patented automatically convert to State of Alaska claims and are administered under the State mining law. At any time during the 15 year period, a claim holder has the option to convert the federal claim to a State claim.

Timber Road Fund.—All timber receipts collected during the one year transfer-transition period are provided to the State of Alaska for a timber road program fund.

Timber Exports.—The State of Alaska must prohibit export of unprocessed saw, utility and pulp logs originating from lands transferred for a minimum of ten years.

SOUTHEAST ALASKA PUBLIC OPINION SURVEY—
A SURVEY MEASURING PUBLIC OPINION ON
THE TONGASS NATIONAL FOREST TIMBER
INDUSTRY

TRANSFERRING OWNERSHIP OF THE TONGASS TO
THE STATE OF ALASKA

Transferring ownership of the Tongass from the federal government to state government is an appealing idea for most Southeasterners. Across the region 55% favor transferring ownership while 34% oppose the transfer. One in ten (11%) are unsure, probably reflecting uncertainty about how management priorities would change.

In all areas of the region, supporters of the transfer outnumber those in opposition. Juneau offers the lowest level of support (47% in favor versus 40% who oppose). Outside of Juneau, supporters outnumber those in opposition (60% versus 29%). Wrangell and Ketchikan lead the supporters with 76% and 65% in favor, respectively. Southeast's rural areas support the transfer with 59% in favor versus 31% opposing.

Among residents favoring the transfer, nearly all (88%) favor reevaluating all previous federal land and use allocations on the Tongass. This opinion is held region-wide, including Juneau.

CS FOR SENATE JOINT RESOLUTION NO. 4 (RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA,
NINETEENTH LEISLATURE—FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE—SPONSOR(S): SENATORS TAYLOR, HALFORD, KELLY, SHARP

A resolution relating to federally held property in those states, including Alaska, admitted to the Union since 1802.

Be it resolved by the legislature of the State of Alaska:

Whereas the founding fathers of this nation recognized that land is power and that a centralized federal government with a substantial land base would eventually overwhelm the states and pose a threat to the freedom of the individual; and

Whereas the original 13 colonies and the next five years admitted to the Union were granted fee title to all land within their borders; and

Whereas all but two states admitted to the Union since 1802 were denied the same rights of land ownership granted the state admitted earlier, and

Whereas art. I, sec. 8, of the Constitution of the United States of America makes no provision for land ownership by the federal government, other than by purchase from the states of land ". . . for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings"; and

Whereas acting contrary to the provisions of art. I, sec. 8, of the Constitution of the United States, the federal government withheld property from the states admitted since 1802, making them land poor and unable to determine their own land use and development policies; and

Whereas this action has made those states admitted since 1802 unequal to other states and subject to unwarranted federal control; and

Whereas restoration of property to which they are historically and constitutionally entitled would empower the land poor states to determine their own land use policies;

Be it resolved, That the Alaska State Legislature urges the 104th Congress of the United States to right the wrong and to transfer to the states, by fee title, any federally controlled property currently held within the states admitted to the Union since 1802; and be it

Further resolved, That the Congress is urged to then purchase from the newly empowered States land needed to meet the provision of art. I, sec. 8, United States Constitution.

Copies of this resolution shall be sent to the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable Robert Dole, Majority Leader of the U.S. Senate; the Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; to members of the delegations in Congress of those States admitted to the Union since 1802; to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

SOUTHEAST CONFERENCE,
Juneau, AK.

A RESOLUTION SUPPORTING THE CONCEPT OF
TRANSFER OF THE TONGASS NATIONAL FOREST
TO THE STATE OF ALASKA

RESOLUTION 95-12

Whereas, the existing 1979 Tongass Land Management Plan has been under revision since 1989, and;

Whereas, this lack of finality in the planning process has led to instability in the economy and communities of southeast Alaska, and;

Whereas, national political input to the Tongass land management planning process has been a key problem in efforts to resolve conflicts on the Tongass;

Whereas, 85% of southeast Alaska households believe the timber industry is an important part of the region's economy, and;

Whereas, Southeast Conference believes that transfer of the Tongass National Forest to the people of Alaska is an important element in the quality of life in southeast Alaska;

Now, therefore, be it resolved, That Southeast Conference supports the concept of transferring the Tongass National Forest to the State of Alaska, thereby allowing maximum self-determination by the people of Alaska in resolving existing conflicts and bringing stability to our region.

Adopted in the City of Whitehorse this Twenty-First Day of September 1995.

J. ALLAN MACKINNON,
President.

TESTIMONY OF COMMISSIONER WILLIE HENSLEY
REGARDING TONGASS LEGISLATION (S. 1054)

Mr. Chairman and members of the Committee, my name is Willie Hensley. I am the Commissioner of the Alaska Department of Commerce and Economic Development. On behalf of Governor Tony Knowles and Lieutenant Governor Fran Ulmer, I thank you for this opportunity to share our views on S. 1054 and other issues concerning the Tongass National Forest.

The Knowles/Ulmer Administration is committed to assuring a healthy, diversified economy for Southeast Alaska—both for today and for the future. We are pleased that the Alaska Congressional delegation shares our goal in this regard. We differ with the delegation, however, on the methods and priorities to achieve this objective.

We recognize that Southeast Alaska's economy is, by virtue of the region's land base, inextricably linked to the Tongass National Forest. Consequently, balanced, sound management of the multiple-use Tongass is vital to the long-term social and economic well-being of the people and communities of Southeast Alaska.

To this end, the hallmarks which guide our policies in connection with the Tongass include:

1. informed decision-making and prudent management of our resources through the use of sound science;

2. multiple, balanced and sustainable use of the Tongass' rich resources, including conservation measures that reflect our concern for future generations of people who will depend on these resources;

3. a planning process that is inclusive of the many and varied interests associated with the Tongass and is designed to foster consensus; and,

4. maximum self-determination for the people of Southeast Alaska with respect to land management decisions which affect them, and a minimum of legislative prescriptions from Washington, D.C.

These are the criteria by which we evaluate Tongass policies.

DEAR CONGRESSMAN YOUNG: Just wanted to let you know there are a lot of us cutters out here depending on you. Its damn hard, when a guy doesn't know if he's going to have to pack out the next day because of an injunction. I know you have been trying hard and I wanted to say thanks for doing so. Please stay with it, cause you all we've got.

Thanks,

GARY BATCHELDER.

P.S. Right now I'm in a camp of about 50-60 men and I'm sure, I speak for them all.

WARD COVE, AK,
July 24, 1995.

Congressman DON YOUNG,
House of Representatives, Rayburn Building, Washington, DC.

DEAR CONGRESSMAN YOUNG: This letter is to offer my congratulations on your continued support of the timber jobs in southeast Alaska. It is time the Forest Service considered the impact of people in the equation, not just bugs and birds. They have gotten so involved in protection, it has escaped their attention that the forest is a renewable resource for the use of all the people.

I encourage the wise use of our natural resources with a greater importance placed on people and jobs.

BOB ELLIOT.

PETERSBURG, AK,
July 20, 1995.

Congressman DON YOUNG,
House of Representatives, Rayburn Building, Washington, DC.

DEAR CONGRESSMAN YOUNG: Thank you for your support of the forest industry in Southeast Alaska.

The forest industry is vital for the economy of Southeast Alaska, where 42% of forestry jobs have already been lost directly and indirectly because of the 1990 Tongass Timber Reform Act. I urge you to work toward new legislation which will allow the forest industry to harvest timber, safeguard our forests from over harvesting and protect habitat. It seems like a lot to ask, but there must be a balance between the factions.

Does the Forest Service need to be restructured? What is their main objective? It does not seem to be managing the forests for the forest industry but for special interest groups, such as tourists and conservationists, who would lock up Alaska and throw the key away with no regard to the opinions of the local citizens. Personally, I feel the US Forest Service has become too large and wields too much power over their fellow citizens. In fact, they remind me of the IRS.

Thank you again for your efforts towards the forest industry and the dilemma it is in.

Sincerely,

MIKE LUHR.

FIRE DEPARTMENT ANNIVERSARY
REMARKS

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 1995

Mr. FORBES. Mr. Speaker, I rise today to pay tribute and to congratulate the Shelter Island Heights Fire Department for 100 years of dedicated service to the people of Shelter Island Heights. The residents of the Shelter Island Heights Fire District are very fortunate to have such a well-trained and devoted fire department. The Shelter Island Heights Fire Department worked hard to establish itself as one of the best departments in New York and has achieved an impeccable record.

The success of the fire department is a direct result of dedication and effective management displayed by its members. Under the leadership of Chairman Frederick J. Gurney the fire department has continued to play an active role in the life of the Southampton community. This leadership umbrella extends to the other members of the board of fire commissioners, Charles Williams, Eugene Tybaert, Louis Cicero and Richard Surozenski as well as the loyalty and hard work exemplified by Chief Officer Stuart Nicoll, First Assistant Larry Lechmanski and Second Assistant Dave Sharp. The Shelter Island Heights Fire Department consists of more than 35 volunteer fire fighters, containing no career employees, offering further evidence of their passion and commitment to the community they serve.

On Saturday, September 30, 1995, the Shelter Island Heights Fire Department celebrates its 100th anniversary, marking the culmination of a long, proud history by recognizing and honoring the efforts of those who have sacrificed and served the department and community. Therefore, Mr. Speaker, it is with great pride that I ask the rest of the House to join me in congratulating the fire department on achieving this momentous milestone. This is a much deserved tribute and I wish them all the best on their day of recognition and glory. They give of themselves because of the love and pride they share for their community, and we applaud their extraordinary service and efforts. These courageous individuals have truly earned this recognition. May they continue to