

A motion to reconsider was laid on the table.

**CLARIFYING LEGAL EFFECT OF LAND ACQUISITION IN RED CLIFFS DESERT RESERVE**

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2863) to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah.

The Clerk read as follows:

H.R. 2863

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

**SECTION 1. TREATMENT OF CERTAIN LAND IN RED CLIFFS DESERT RESERVE, UTAH, ACQUIRED BY EXCHANGE.**

(a) **LIMITATION ON LIABILITY.**—In support of the habitat conservation plan of Washington County, Utah, for the protection of the desert tortoise and surrounding habitat, the transfer of the land described in subsection (b) from the city of St. George, Utah, to the United States shall convey no liability on the United States that did not already exist with the United States on the date of the transfer of the land.

(b) **DESCRIPTION OF LAND.**—The land referred to in subsection (a) is a parcel of approximately 15 acres of land located within the Red Cliffs Desert Reserve in Washington County, Utah, that was formerly used as a landfill by the city of St. George.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes. The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 2863, introduced by myself on September 14, 1999, would clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah.

This legislation was introduced at the request of the Bureau of Land Management. This bill deals with the problem with an anticipated land exchange between the city of St. George and the BLM. This exchange is also designed to facilitate the Washington County, Utah, habitat conservation plan for the desert tortoise.

A certain parcel of land that the BLM wants to acquire used to be a landfill. The BLM wants to acquire the lands in the exchange, but they do not want to accept liability for any unknown toxic material that may be in the landfill.

This bill would leave liability for the landfill in the hands of the city. Thus, the BLM would not be forced to accept liability. The BLM refuses to go through with the lands exchange unless this bill is passed. Both the BLM and the city are in favor of this legislation. Mr. Speaker, this is a good bill, and I urge my colleagues to support it.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

□ 1230

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 2863 would clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in Utah. It is our understanding that the Bureau of Land Management and the City of St. George, Utah, are negotiating a land exchange designed to facilitate a Habitat Conservation Plan for the desert tortoise. We have been told that one of the parcels the Bureau of Land Management wants to acquire was formally used as a landfill. Obviously, the BLM is concerned about acquiring this land and thus being liable for any unknown materials that may be in the landfill.

H.R. 2863 would leave legal liability for the landfill in the hands of the city. We understand that this is agreeable to both the city and the Bureau of Land Management.

Mr. Speaker, like H.R. 2862, this bill is also being brought to the floor without ever having been considered by the Committee on Resources. However, there appears to be a clear public benefit to the United States in this legislation and as such, we have no objection to the House considering the measure today.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2863.

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

A motion to reconsider was laid on the table.

**ADJUSTING THE BOUNDARIES OF GULF ISLANDS NATIONAL SEASHORE TO INCLUDE CAT ISLAND, MISSISSIPPI**

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2541) to adjust the boundaries of the Gulf Islands National Seashore to include Cat Island, Mississippi, as amended.

The Clerk read as follows:

H.R. 2541

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

**SECTION 1. BOUNDARY ADJUSTMENT.**

(a) **IN GENERAL.**—The first section of Public Law 91-660 (16 U.S.C. 459h; 84 Stat. 1967) is amended—

(1) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F);

(2) by striking "shall comprise the following gulf coast" and inserting the following: "shall comprise the following:

"(1) The gulf coast"; and

(3) by adding at the end the following new paragraph:

"(2) Only after acquisition by the Secretary from a willing seller, the approximately 2000 acres of land on Cat Island, Mississippi, generally depicted on the map entitled 'Boundary Map, Gulf Islands National Seashore, Cat Island, Mississippi', numbered 635/80085, and dated November 9, 1999 (hereinafter referred to as the 'Cat Island Map'). The Cat Island Map shall be on file and available for public inspection in the appropriate offices of the National Park Service of the Department of the Interior."

(b) **ACQUISITION AUTHORITY.**—Section 2 of Public Law 91-660 (16 U.S.C. 459h-1; 84 Stat. 1967) is amended—

(1) in the first sentence of subsection (a), by inserting "submerged lands," after "lands,"; and

(2) by adding at the end the following new subsection:

"(e)(1) The Secretary is authorized to acquire, from a willing seller only—

"(A) the approximately 2,000 acres of land depicted on the Cat Island Map;

"(B) an easement over the approximately 150-acre parcel depicted as the 'Boddie Family Tract' on the Cat Island Map for the purpose of implementing an agreement with the owners of the parcel concerning the development and use of the parcel; and

"(C) lands and interests in lands on Cat Island outside the 2,000-acre area depicted on the Cat Island Map and submerged lands that lie within 1 mile seaward of Cat Island; however submerged lands owned by the State of Mississippi or its subdivisions may be acquired under this subsection only by donation.

"(2) Lands and interests in lands acquired under this subsection shall be administered by the Secretary, acting through the Director of the National Park Service.

"(3) The boundary of the seashore shall be modified to reflect the acquisition of such lands."

(c) **REGULATION OF FISHING.**—Section 3 of Public Law 91-660 (16 U.S.C. 459h-2; 84 Stat. 1968) is amended—

(1) by inserting "(a)" before "The Secretary"; and

(2) by adding at the end the following:

"(b) Nothing in this Act shall be construed to give the Secretary authority to regulate fishing activities, including shrimping, outside of the boundaries of the seashore."

(d) **AUTHORIZATION OF MANAGEMENT AGREEMENTS.**—Section 5 of Public Law 91-660 (16 U.S.C. 459h-4; 84 Stat. 1968) is amended—

(1) by inserting "(a)" before "Except"; and

(2) by adding at the end the following new subsection:

"(b)(1) The Secretary is authorized to enter into agreements—

"(A) with the State of Mississippi and its political subdivisions for the purposes of managing resources and providing law enforcement assistance, subject to State law authorization, and emergency services on or within any lands on Cat Island and any waters and submerged lands within 1 mile seaward from Cat Island; and

"(B) with the owners of the approximately 150-acre parcel of land depicted as the 'Boddie Family Tract' on the Cat Island Map concerning the development and use of such land.

"(2) Nothing in this subsection shall be construed to authorize the Secretary to enforce Federal regulations outside the land area within the designated boundary of the seashore."

(e) **AUTHORIZATION OF APPROPRIATIONS.**—Section 11 of Public Law 91-660 (16 U.S.C. 459h-10; 84 Stat. 1970) is amended—

(1) by inserting "(a)" before "There"; and

(2) by adding at the end the following:

“(b) In addition to the funds authorized by subsection (a), there are authorized to be appropriated such sums as are necessary to acquire lands and submerged lands on and adjacent to Cat Island, Mississippi.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes. The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, I rise in support of H.R. 2541, as amended. This bill, introduced by the gentleman from Mississippi (Mr. TAYLOR), would adjust the boundaries of the Gulf Islands National Seashore to include an area of land known as Cat Island. Cat Island is approximately 2,100 acres in size at the western end of Gulf Islands National Seashore, which consists of a number of coastal barrier islands.

Mr. Speaker, we are considering this bill with amendments that we have all agreed on. The amendment addresses a number of concerns that have been expressed by the primary owners of Cat Island, by the Park Service, and also by the author of the legislation, the gentleman from Mississippi (Mr. TAYLOR). This amendment effectively excludes 156 acres of private property on Cat Island from inclusion within the boundaries of the national seashore. It also assures that acquisition of any property and any easement is by willing seller only and clarifies that the Secretary can acquire the submerged land within 1 mile of Cat Island, owned by the State of Mississippi, only by donation.

The substitute also authorizes the Park Service to enter into necessary and appropriate agreements with the State of Mississippi and the private property owners. This bill authorizes such sums necessary to acquire Cat Island.

Mr. Speaker, this bill is supported by the administration and the minority, and I urge my colleagues to support H.R. 2541.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, the Gulf Islands National Seashore stretches for 150 miles along the Gulf Coast from Mississippi to Florida. The seashore is more than 135,000 acres in size and includes portions of both the mainland and a chain of barrier islands just offshore.

When the seashore was first conceived, it was hoped that Cat Island, the western-most island in this chain, would be included. In fact, based on its size and diversity of unspoiled natural resources, Cat Island was expected to be the “crown jewel” of the new national seashore. However, the family which owned most of the island declined to be included at that time and

the creation of the seashore went forward without Cat Island.

We now have an opportunity to change that. It is our understanding that the family is now willing to have 2,000 acres of their land be included in the seashore and an agreement for the National Park Service to acquire the land is in the works.

H.R. 2541, sponsored by our colleague, the gentleman from Mississippi (Mr. TAYLOR) would alter the boundary of the existing seashore to add these lands.

Mr. Speaker, this legislation and the eventual land purchase it authorizes, have been the subject of extensive negotiations involving the National Park Service, the family which owns the island, and the gentleman from Mississippi.

During consideration of this measure by our committee, the gentleman from Utah (Mr. HANSEN) chairman of the Subcommittee on National Parks and Public Lands, offered an amendment attempting to address many of the unresolved issues, but in a way which we opposed. However, with the amended bill the House is considering today, these differences have been resolved in a manner that will allow the NPS to manage the portion of Cat Island they will acquire effectively while also protecting the rights of the remaining property owners on the island.

The gentleman from Mississippi (Mr. TAYLOR) deserves great credit for his efforts to move this important legislation forward. It is clear that Cat Island is a beautiful area, as several witnesses testified at hearings on this bill, it will be a valuable addition to the Gulf Islands National Seashore. We urge our colleagues to support this bill, as amended.

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

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

Mr. Speaker, I understand that there is a little problem with this piece of legislation regarding duck hunting. A lot of folks know when this was really put together the first time under the section of the bill it states that: The Secretary shall permit hunting and fishing on island and waters within the seashore in accordance with applicable Federal and State laws.

So, Mr. Speaker, I would just hope that people realize that maybe the superintendent is expanding his power a little bit, because we understand he is not doing this. It is my sincere hope that this hunting issue is resolved with the satisfaction of the Florida Fish and Wildlife Conservation Commission before this bill becomes law. It worries me, as chairman of the Subcommittee on National Parks and Public Lands, when I see a superintendent expand the authority that the law has given him. And I am sure his heart is in the right place. And I am sure we can resolve this minor issue, but I hope this could be resolved. And I just wanted to bring that to the attention of the body.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not see why this issue could not be resolved and we will work with the gentleman from Mississippi (Mr. TAYLOR) to see that the issue is resolved.

Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I thank the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) for yielding me this time.

Mr. Speaker, H.R. 2541 would address the boundaries of the Gulf Islands National Seashore to include Cat Island, Mississippi.

In 1971, Congress authorized the Gulf Islands National Seashore “. . . in order to preserve for public use and enjoyment certain areas possessing outstanding natural, historic and recreational values” (Public Law 91-660). The Gulf Islands National Seashore includes a series of coastal islands stretching from Florida to Mississippi. Cat Island was not a part of the original legislation creating the Gulf Islands National Seashore, although it was considered the most desirable island from an ecological standpoint. At the time, it was not available for sale and it was not included.

The primary owners of the island, the Boddie family, have now come forward as willing sellers to offer approximately 2,000 acres of land on Cat Island for inclusion in the Gulf Islands National Seashore. This legislation would give the Department of the Interior the authority to acquire this property. Approximately 156 acres of land on Cat Island would remain in private ownership, and all the land below the mean line of ordinary high tide would remain under the jurisdiction of the State of Mississippi. These tracts of land, waters, and submerged lands would remain outside the boundary of the Gulf Islands National Seashore. Furthermore, the bill makes it absolutely clear that all activities, including fishing and shrimping, would remain regulated by the State of Mississippi.

The amendments that are included in this motion to suspend the rules and pass H.R. 2541 make several changes to the bill as reported by the House Committee on Resources. These additional changes addressed all the concerns outlined in the “Additional Views” as filed on November 4 of this year.

With development booming along the Mississippi Gulf Coast, the threat of development on Cat Island is intense and very real. I wish to thank all of my colleagues, especially the gentleman from Utah (Mr. HANSEN), the gentleman from Alaska (Chairman YOUNG), the gentleman from California (Mr. MILLER), ranking member, and the gentleman from Puerto Rico (Mr. ROMERO-

BARCELÓ) for giving this bill their personal attention. It is essential that we expedite enactment of this legislation as these are willing sellers who have extended this offer for only a limited period of time.

Cat Island is a diverse habitat for a wealth of marine life and shore birds and one of the best surf fishing spots on the entire Gulf Coast.

More to the point, Mr. Speaker, Cat Island is, in my opinion, one of the last remaining places on the Mississippi Gulf Coast where one can still see the hand of God. And whether it is a beautiful osprey or a mother dolphin or something as strange-looking as an alligator or a horseshoe crab, it is all part of the hand of God and deserves to be protected. Mr. Speaker, I thank my colleagues for making this possible.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I have no further speakers on this issue, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2541, 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.

#### PROHIBITING OIL AND GAS DRILLING IN MOSQUITO CREEK LAKE IN CORTLAND, OHIO

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2818) to prohibit oil and gas drilling in Mosquito Creek Lake in Cortland, Ohio.

The Clerk read as follows:

H.R. 2818

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

#### SECTION 1. PROHIBITION.

After the enactment of this Act no person may commence any drilling activity (including any slant or directional drilling) to extract oil or gas from lands beneath waters under the jurisdiction of the United States in Mosquito Creek Lake in Cortland, Ohio. The Attorney General of the United States may bring an action in the appropriate United States district court to enforce the prohibition contained in this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, I rise in somewhat reluctant support of H.R. 2818, a bill to prohibit oil and gas drilling beneath Mosquito Creek Lake in Cortland, Ohio, introduced by the gentleman

from Youngstown, Ohio (Mr. TRAFICANT).

The bill reflects the concerns of some of the gentleman's constituents in Trumbull County, Ohio regarding the U.S. Army Corps of Engineers-administered project known as Mosquito Creek Lake for which the Department of the Interior is considering leasing the oil and gas rights beneath this reservoir. The Bureau of Land Management has prepared a planning analysis and environmental analysis in preparation for a decision whether to lease approximately 11,100 acres of minimal estate acquired by the Federal Government when the Corps of Engineers impounded this drainage basin, creating a reservoir about 1 mile wide and 9 miles long.

Nonetheless, local opposition to the BLM proposal remains, primarily, upon concerns of spills and contaminant discharges from drilling upon surface and groundwater resources. However, I will yield to the wishes of the elected House Member from this affected area. He will have to deal with that with his constituents.

Mr. Speaker, I urge my colleagues to vote for this bill.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 2818 was introduced by the gentleman from Ohio (Mr. TRAFICANT) to address concerns raised by his constituents in Trumbull County, Ohio relating to a U.S. Army Corps of Engineers-administered project known as Mosquito Creek Lake. This area is currently under consideration for development of Federal oil and gas rights beneath the man-made reservoir.

The U.S. Bureau of Land Management field office in Milwaukee, Wisconsin, has developed a proposed planning analysis, environmental analysis preparatory to a decision on whether to lease 11,100 acres of mineral estate acquired by the Federal Government when the Corps impounded this drainage basin creating a reservoir about 1 mile wide and 9 miles long.

There are significant oil and gas deposits beneath Mosquito Lake which various entities have expressed desires and interest in developing. Despite stipulations and other safeguards which the BLM and the Corps of Engineers have promised to provide, as well as a long history of oil and gas development in the area, some local residents continue to oppose any new oil and gas activity.

These stipulations are not sufficient to resolve the concerns of the gentleman from Ohio (Mr. TRAFICANT), therefore, his bill would bar any person from any drilling activity including slant or directional drilling to extract oil or gas from lands beneath Mosquito

Creek Lake in Cortland, Ohio. Under the bill, the U.S. Attorney General would have the authority to file suit in the U.S. District Court to enforce this prohibition.

Mr. Speaker, the Clinton administration opposes this bill. Not only do they perceive an opportunity to raise Federal revenues through the development of oil and gas resources, they also cannot prevent drainage from surrounding private lands if they do not develop the area beneath Mosquito Creek Lake.

Given these concerns, I have some reservations about the bill. However, the gentleman from Ohio (Mr. TRAFICANT) has expressed a great desire to see this bill enacted and, since it affects his district, we do not intend to oppose it.

□ 1245

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I want to take this time to speak on a bill that I introduced, and I wanted to make a few comments on H.R. 2818, to ban slant drilling at Mosquito Creek Lake.

Now, I have supported capturing revenues from energy sources offshore and will continue to do so. But, Mr. Speaker, I want to point this out to the House, because this is the beginning of probably a policy discussion on an issue that has become and will become more sensitive.

The Bureau of Land Management wanted to slant drill underneath Mosquito Creek Lake, and that is the sole, primary, and only drinking water for the second largest city in my district of 60,000 people, the city of Warren. The City of Cortland also depends upon it as do the aquifer systems of many small communities in the area.

So it is not as if we are just capturing the revenue, which I want to do and which I support. This is a sole-purpose drinking water lake. I think it is bad policy.

I want to make this point very simply to Congress, water running down hill, and any drilling today would be in effect 40 years from now. What tremor might there be or what consequence might occur to impact upon that system and to damage the quality of drinking water for our people? The cost and benefits to the communities are so small that one single incident would obliterate any dollars they have in any of their budget. So Congress is doing much more today than pass this. Congress begins the dialogue and debate on these types of issues.

So I wanted to make this point that every single community impacted upon by this decision was opposed to that drilling. I am strongly opposed. I thank the gentleman from Utah (Mr. HANSEN), chairman, and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), the ranking member, for having supported the bill and hope that