

I urge my colleagues to support the passage of the Terry Peak Land Transfer Act under suspension of the rules.

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

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

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

Mr. KILDEE. Mr. Speaker, H.R. 2079 directs the Secretary of Agriculture to convey for fair market value approximately 41 acres of land in the Black Hills National Forest to the Black Hill Chairlift Company, a local ski operator.

The tract is encumbered by ski lifts, ski trails, a parking lot, and other privately owned improvements so that transfer to private ownership would improve land management and eliminate administrative costs.

Furthermore, proceeds from the sale would be used to acquire small and scattered parcels around the National Forest.

I urge my colleagues to support this bill.

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

Mr. SHERWOOD. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding to me.

Let me say, Mr. Speaker, that H.R. 2079, the Terry Peak Land Transfer Act of 1999, is a responsible common sense and straightforward bill that will allow the Federal Government and a private interest to manage precious land resources in a very thoughtful and effective manner.

Terry Peak is a popular ski resort in the Black Hills of South Dakota. For years, Terry Peak has been a winter-time destination enjoyed by individuals and families in South Dakota and out-of-state visitors. The resort is situated in Lawrence County, South Dakota, and is near the communities of Deadwood and Lead. Today, 90 percent of the resort's land is privately owned. Ten percent of the land is federally owned and administered by the Black Hills National Forest.

The land administered by the Black Hills National Forest comprises of approximately 41 acres and has been permitted to Terry Peak pursuant to section 3 of the National Forest Ski Area Permit Act of 1986. Substantial improvements unique to Terry Peak's operation, such as parking lots, chair lifts, and a ski lodge have also been made to the land.

These improvements, the relatively small size of the parcel of land, and the land's isolation make this exchange a sensible action. As it stands, the land is no longer useful for the mission of the Black Hills National Forest and results in significant administrative cost to the Forest Service.

As a result of these factors, the Forest Service in the Black Hills National

Forest engaged in conversations with officials of Terry Peak to consider the latter's acquisition of the 41-acre parcel administered by the Black Hills National Forest. These parties have spent a great deal of time and effort to construct the proposed transaction, ensure broad public support, and draft legislation agreeable to both parties to the transaction. The result of that hard work is found in the bill before the House today.

H.R. 2079 would require Terry Peak to pay full market value, as determined by the Secretary of Agriculture for the land. According to the report accompanying the bill, the sale of the land would generate approximately \$125,000 in offsetting receipts. The Black Hills National Forest could then use those receipts to acquire more useful lands from willing sellers and add those lands to the forest system.

The legislation, therefore, recognizes the benefits of the private interest, Terry Peak, and to the public interest, the Black Hills National Forest. Terry Peak and Black Hills National Forest would both be able to acquire land that is most useful and consistent with each entity's mission.

As the gentleman from Pennsylvania (Mr. SHERWOOD) indicated, the transaction does enjoy broad support from outside parties. The Black Hills Group of the Sierra Club, the Deadwood Area Chamber of Commerce, the Lawrence County Commissioners, the Lead Area Chamber of Commerce, the Terry Peak Lodge Homeowners Association, and the Terry Valley Landowners Association all support the transaction and have encouraged its completion.

Additionally, the Senate has before it a companion bill, S. 953, the Terry Peak Land Conveyance Act of 1999, which would achieve the same end.

Because the Forest Service does not have the administrative authority to convey the land to Terry Peak in the manner both parties wish, Congress must grant authority for the change. It is for that reason that I introduced the Terry Peak Land Transfer Act of 1999 and ask for my colleagues' support of the bill today.

Mr. Speaker, I would like to thank the gentlewoman from Idaho (Mrs. CHENOWETH), chairman of the Subcommittee on Forests and Forest Health; the gentleman from Washington (Mr. SMITH), the ranking member; as well as the gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Resources; and the gentleman from California (Mr. GEORGE MILLER), ranking member, for taking quick action on this bill.

I again thank the gentleman from Pennsylvania (Mr. SHERWOOD) for yielding me this time today and the gentleman from Michigan (Mr. KILDEE) for working with us on this legislation.

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

Mr. SHERWOOD. 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 Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 2079.

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.

#### SAINT HELENA ISLAND NATIONAL SCENIC AREA ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 468) to establish the Saint Helena Island National Scenic Area, as amended.

The Clerk read as follows:

H.R. 468

*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 "Saint Helena Island National Scenic Area Act".*

#### SEC. 2. ESTABLISHMENT OF SAINT HELENA ISLAND NATIONAL SCENIC AREA, MICHIGAN.

(a) PURPOSE.—The purposes of this Act are—

(1) to preserve and protect for present and future generations the outstanding resources and values of Saint Helena Island in Lake Michigan, Michigan, and

(2) to provide for the conservation, protection, and enhancement of primitive recreation opportunities, fish and wildlife habitat, vegetation, and historical and cultural resources of the island.

(b) ESTABLISHMENT.—For the purposes described in subsection (a), there shall be established the Saint Helena Island National Scenic Area (in this Act referred to as the "scenic area").

(c) EFFECTIVE UPON CONVEYANCE.—Subsection (b) shall be effective upon conveyance of satisfactory title to the United States of the whole of Saint Helena Island, except that portion conveyed to the Great Lakes Lighthouse Keepers Association pursuant to section 1001 of the Coast Guard Authorization Act of 1996 (Public Law 104-324; 110 Stat. 3948).

#### SEC. 3. BOUNDARIES.

(a) SAINT HELENA ISLAND.—The scenic area shall comprise all of Saint Helena Island, in Lake Michigan, Michigan, and all associated rocks, pinnacles, islands, and islets within one-eighth mile of the shore of Saint Helena Island.

(b) BOUNDARIES OF HIAWATHA NATIONAL FOREST EXTENDED.—Upon establishment of the scenic area, the boundaries of the Hiawatha National Forest shall be extended to include all of the lands within the scenic area. All such extended boundaries shall be deemed boundaries in existence as of January 1, 1965, for the purposes of section 8 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9).

(c) PAYMENTS TO LOCAL GOVERNMENTS.—Solely for purposes of payments to local governments pursuant to section 6902 of title 31, United States Code, lands acquired by the United States under this Act shall be treated as entitlement lands.

#### SEC. 4. ADMINISTRATION AND MANAGEMENT.

(a) ADMINISTRATION.—Subject to valid existing rights, the Secretary of Agriculture (in this Act referred to as the "Secretary") shall administer the scenic area in accordance with the laws, rules, and regulations applicable to the National Forest System in furtherance of the purposes of this Act.

(b) SPECIAL MANAGEMENT REQUIREMENTS.—Within 3 years of the date of enactment of this Act, the Secretary shall seek to develop a management plan for the scenic area as an amendment to the land and resources management

plan for the Hiawatha National Forest. Such an amendment shall conform to the provisions of this Act. Nothing in this Act shall require the Secretary to revise the land and resource management plan for the Hiawatha National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604). In developing a plan for management of the scenic area, the Secretary shall address the following special management considerations:

(1) **PUBLIC ACCESS.**—Alternative means for providing public access from the mainland to the scenic area shall be considered, including any available existing services and facilities, concessionaires, special use permits, or other means of making public access available for the purposes of this Act.

(2) **ROADS.**—After the date of enactment of this Act, no new permanent roads shall be constructed within the scenic area.

(3) **VEGETATION MANAGEMENT.**—No timber harvest shall be allowed within the scenic area, except as may be necessary in the control of fire, insects, and diseases, and to provide for public safety and trail access. Notwithstanding the foregoing, the Secretary may engage in vegetation manipulation practices for maintenance of wildlife habitat and visual quality. Trees cut for these purposes may be utilized, salvaged, or removed from the scenic area as authorized by the Secretary.

(4) **MOTORIZED TRAVEL.**—Motorized travel shall not be permitted within the scenic area, except on the waters of Lake Michigan, and as necessary for administrative use in furtherance of the purposes of this Act.

(5) **FIRE.**—Wildfires shall be suppressed in a manner consistent with the purposes of this Act, using such means as the Secretary deems appropriate.

(6) **INSECTS AND DISEASE.**—Insect and disease outbreaks may be controlled in the scenic area to maintain scenic quality, prevent tree mortality, or to reduce hazards to visitors.

(7) **DOCKAGE.**—The Secretary shall provide through concession, permit, or other means docking facilities consistent with the management plan developed pursuant to this section.

(8) **SAFETY.**—The Secretary shall take reasonable actions to provide for public health and safety and for the protection of the scenic area in the event of fire or infestation of insects or disease.

(c) **CONSULTATION.**—In preparing the management plan, the Secretary shall consult with appropriate State and local government officials, provide for full public participation, and consider the views of all interested parties, organizations, and individuals.

#### **SEC. 5. FISH AND GAME.**

Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Michigan with respect to fish and wildlife in the scenic area.

#### **SEC. 6. MINERALS.**

Subject to valid existing rights, the lands within the scenic area are hereby withdrawn from disposition under all laws pertaining to mineral leasing, including all laws pertaining to geothermal leasing. Also subject to valid existing rights, the Secretary shall not allow any mineral development on federally owned land within the scenic area, except that common varieties of mineral materials, such as stone and gravel, may be utilized only as authorized by the Secretary to the extent necessary for construction and maintenance of roads and facilities within the scenic area.

#### **SEC. 7. ACQUISITION.**

(a) **ACQUISITION OF LANDS WITHIN THE SCENIC AREA.**—The Secretary shall acquire, by purchase from willing sellers, gift, or exchange, lands, waters, structures, or interests therein, including scenic or other easements, within the boundaries of the scenic area to further the purposes of this Act.

(b) **ACQUISITION OF OTHER LANDS.**—The Secretary may acquire, by purchase from willing sellers, gift, or exchange, not more than 10 acres of land, including any improvements thereon, on the mainland to provide access to and administrative facilities for the scenic area.

#### **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

(a) **ACQUISITION OF LANDS.**—There are hereby authorized to be appropriated such sums as may be necessary for the acquisition of land, interests in land, or structures within the scenic area and on the mainland as provided in section 7.

(b) **OTHER PURPOSES.**—In addition to the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated such sums as may be necessary for the development and implementation of the management plan under section 4(b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHERWOOD).

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

Mr. Speaker, H.R. 468, the Saint Helena Island National Scenic Area, was introduced by the gentleman from Michigan (Mr. KILDEE), our esteemed colleague. This legislation would establish the area known as the Saint Helena Island in the State of Michigan as a National Scenic Area to be included in the Hiawatha National Forest.

The owners of Saint Helena Island have put it up for sale, and legislation is necessary to preserve and protect its outstanding resources. The Subcommittee on Forests and Forest Health held a hearing on H.R. 468, and the bill was ordered favorably reported, as amended, from the Committee on Resources by voice vote.

I urge my colleagues to support passage of the Saint Helena Island National Scenic Area under suspension of the rules.

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

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

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

Mr. KILDEE. Mr. Speaker, on February 25, 1999, I introduced H.R. 468, the Saint Helena Island National Scenic Area Act, and I am pleased that several of my colleagues from Michigan from both parties joined me as cosponsors of this effort.

First of all, I would like to thank the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from Alaska (Mr. YOUNG) for their help in bringing H.R. 468 to the floor of the House. I also appreciate the work of the ranking members of the committees.

During committee consideration, I was pleased to work with both the majority and minority to make technical and clarifying amendments, and I believe this resulted in a good piece of legislation worthy of bipartisan support.

We have a wonderful opportunity to protect a beautiful island in the Straits

of Mackinac in Lake Michigan. Owned by willing sellers, Saint Helena Island is located approximately 2 miles from the northern shore of Lake Michigan with a beautiful view of Mackinac Bridge.

In addition, the Island contains a historic lighthouse which is listed on the National Register of Historic Places. The two acres on which the lighthouse sits were recently conveyed via quitclaim from the Coast Guard to the Great Lakes Lighthouse Keepers Association. This bill would authorize purchase of the remainder of the island.

My legislation is simple, Mr. Speaker. It authorizes the purchase of Saint Helena Island from the willing sellers, the Brown and Hammond families. The island would become part of the Hiawatha National Forest, which would manage the island as a National Scenic Area, and the island would be open to the public for recreational use.

The island's ecosystem is home to over 300 species of plants, almost a quarter of which are not native to Michigan. Numerous birds and animals can also be found on the island.

Saint Helena also has a rich history, Mr. Speaker, as it was once home to a small port that serviced ships passing through the Straits of Mackinac. Although no permanent residents live on the island today, Saint Helena acts as a classroom for school groups, scout troops, lighthouse enthusiasts, and other citizens attracted to its beauty and diverse ecosystem.

I look forward to working with members of both houses of Congress to ensure passage of this legislation into law.

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

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

Mr. Speaker, I would like to thank the gentleman from Michigan (Mr. KILDEE) for his bipartisan efforts to work for the common good and thank him for all of his help on our committee.

Mr. DINGELL. Mr. Speaker, I rise in strong support of the legislation offered by my good friend and colleague from Flint, Michigan. As the Michigan Delegation's representative to the House Resources Committee, DALE KILDEE has been done a superb job as our advocate for better parks and recreational opportunities, while serving as a seasoned voice for strong natural resources policies.

It should be no surprise, then, that the House is today considering my colleague's bipartisan bill to establish the Saint Helena Island National Scenic Area in Lake Michigan. The need is simple: to preserve and protect a place along the Great Lakes' shores where all Americans can appreciate primitive recreation opportunities, fish and wildlife habitat, vegetation, and the historic and cultural resources of a small but unique island near the Straits of Mackinac.

The people of Michigan value greatly the natural heritage and rugged beauty of our Great Lakes shoreline, particularly in this quiet, peaceful part of what we affectionately refer to in my District up "Up North." The acquisition has the support of the current landowners and local government, and the U.S.

Forest Service has indicated it is prepared to manage the new Scenic Area once it is acquired. I have no doubt that Saint Helena is a wise investment by the Federal government for the preservation of a very special place, and the recreational enjoyment of this and future generations of Michiganders.

It is my hope that H.R. 468 will move swiftly to the President's desk, and that sufficient Land and Water Conservation funding will be found in the near future to secure this national treasure between our two peninsulas.

Mr. SHERWOOD. 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 Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 468, as amended.

The question was taken.

Mr. SAXTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1231, H.R. 2079, and H.R. 468.

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

There was no objection.

#### TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 1999

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2367) to reauthorize a comprehensive program of support for victims of torture, as amended.

The Clerk read as follows:

H.R. 2367

*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 "Torture Victims Relief Reauthorization Act of 1999".

##### SEC. 2. FOREIGN TREATMENT CENTERS FOR VICTIMS OF TORTURE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal years 2001, 2002, and 2003 pursuant to chapter 1 of part I of the Foreign Assistance Act of 1961, there are authorized to be appropriated to the President \$10,000,000 for fiscal year 2001, \$10,000,000 for fiscal year 2002, and \$10,000,000 for fiscal year 2003 to carry out section 130 of the Foreign Assistance Act of 1961.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this section shall remain available until expended.

##### SEC. 3. DOMESTIC TREATMENT CENTERS FOR VICTIMS OF TORTURE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal years 2001, 2002, and 2003, there are authorized to be appropriated to

carry out subsection (a) of section 5 of the Torture Victims Relief Act of 1998 (22 U.S.C. 2152) \$10,000,000 for fiscal year 2001, \$10,000,000 for fiscal year 2002, and \$10,000,000 for fiscal year 2003.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this section shall remain available until expended.

##### SEC. 4. MULTILATERAL ASSISTANCE.

(a) FUNDING.—Of the amounts authorized to be appropriated for fiscal years 2001, 2002, and 2003 for "Voluntary Contributions to International Organizations" pursuant to chapter 3 of part I of the Foreign Assistance Act of 1961, there are authorized to be appropriated for a United States contribution to the United Nations Voluntary Fund for Victims of Torture (in this section referred to as the "Fund") the following amounts for the following fiscal years:

(1) FISCAL YEAR 2001.—For fiscal year 2001, \$5,000,000.

(2) FISCAL YEAR 2002.—For fiscal year 2002, \$5,000,000.

(3) FISCAL YEAR 2003.—For fiscal year 2003, \$5,000,000.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President, acting through the United States Permanent Representative to the United Nations, should—

(1) request the Fund—

(A) to find new ways to support and protect treatment centers and programs that are carrying out rehabilitative services for victims of torture; and

(B) to encourage the development of new such centers and programs;

(2) use the voice and vote of the United States to support the work of the Special Rapporteur on Torture and the Committee Against Torture established under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and

(3) use the voice and vote of the United States to establish a country rapporteur or similar procedural mechanism to investigate human rights violations in a country if either the Special Rapporteur or the Committee Against Torture indicates that a systematic practice of torture is prevalent in that country.

##### SEC. 5. REPORTING REQUIREMENT.

Not later than 90 days after the enactment of this Act, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives on the specialized training for foreign service officers required by section 7 of the Torture Victims Relief Act of 1998 (Public Law 105-320). The Report shall include detailed information regarding—

(1) efforts by the Department of State to implement the specialized training requirement;

(2) the curriculum that is being used in the specialized training;

(3) the number of foreign service officers who have received the specialized training as of the date of the Report; and

(4) the nongovernmental organizations that have been involved in the development of the specialized training curriculum or in providing the specialized training, and the nature and extent of that involvement.

##### SEC. 6. TECHNICAL AMENDMENTS RELATING TO THE SECOND SECTION 129 OF THE FOREIGN ASSISTANCE ACT OF 1961.

(a) AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961.—The second section 129 of the Foreign Assistance Act of 1961, as added by section 4(a) of the Torture Victims Relief Act of 1998 (Public Law 105-320), is redesignated as section 130.

(b) AMENDMENT TO TORTURE VICTIMS RELIEF ACT OF 1998.—Section 4(b)(1) of the Torture Victims Relief Act of 1998 is amended by striking "section 129 of the Foreign Assistance Act of 1961, as added by subsection (a)" and inserting "section 130 of the Foreign Assistance Act of 1961 (as redesignated by section 6(a) of the Torture Victims Relief Reauthorization Act of 1999)".

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

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Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume to explain the bill.

I rise in strong support of H.R. 2367, the Torture Victims Relief Reauthorization Act. Let me point out to my colleagues that on June 29, the Subcommittee on International Relations and Human Rights held a hearing on U.S. policy toward the victims of torture. The testimony that was presented that day emphasized the continuing and compelling need for this legislation. Those who suffer the unspeakable cruelty of torture at the hands of despotic governments bear physical, emotional and psychological scars for the rest of their lives. Often, the ordeal of torture does not end with the victim's release from a gulag, laogai, or prison. Without professional help and rehabilitation, many torture victims will never get their lives back.

United States law, Madam Speaker, regarding torture victims took a giant step forward on October 30, 1998, with the enactment of Public Law 105-320, the Torture Victims Relief Act. I am proud to have been the principal sponsor of that act, which was cosponsored by 30 of our colleagues on both sides of the aisle. It authorized \$12.5 million over 2 years for assistance to torture victim treatment centers in the United States and another \$12.5 million for assistance to treatment centers in other countries around the world. It also authorized a U.S. contribution in the amount of \$3 million per year to the U.N. Voluntary Fund for Torture Victims. Finally, it required specialized training for State Department personnel in the identification of torture and its long-term effects, techniques for interviewing torture victims, and related subjects.

To continue the good work that that law began, I, along with the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), the gentlewoman from Georgia (Ms. MCKINNEY), our ranking member on the subcommittee, and the gentleman from California (Mr. LANTOS), introduced H.R. 2367, the Torture Victims Relief Act Reauthorization. It will extend and increase the authorizations of last year's act through fiscal year 2003.