

**SAND MOUNTAIN WILDERNESS STUDY AREA, IDAHO LAND CONVEYANCE**

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2818) to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971.

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. LAND CONVEYANCE, SAND MOUNTAIN WILDERNESS STUDY AREA, IDAHO.**

(a) CONVEYANCE AUTHORIZED.—Notwithstanding section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Secretary of the Interior may convey to the owner of the Sand Hills Resort in the State of Idaho (in this section referred to as the “Sand Hills Resort”), all right, title, and interest of the United States in and to a parcel of land consisting of approximately 10.23 acres of public land in the Sand Mountain Wilderness Study Area (#ID 35-3) of the Bureau of Land Management in the State of Idaho, as more fully described in subsection (b).

(b) DESCRIPTION OF LAND.—The public land to be conveyed under subsection (a) is lot 8 in section 19, township 8 north, range 40 east, Boise meridian, Idaho.

(c) CONSIDERATION.—As consideration for the conveyance of the land under subsection (a), the Sand Hills Resort shall pay to the Secretary an amount equal to the fair market value of the land, as valued by qualified land appraisal.

(d) EXEMPTION FROM INTERIM MANAGEMENT POLICY.—To facilitate the conveyance authorized by subsection (a), the land to be conveyed is exempt from all requirements of the Interim Management Policy for Lands Under Wilderness Review of the Bureau of Land Management.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

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

Madam Speaker, H.R. 2818 is a simple, straightforward bill that would convey approximately 10.23 acres of public land located within the Bureau of Land Management Sand Mountain Wilderness Study Area, located near St. Anthony in southeast Idaho, to the owner of the Sand Hills Resort. The Sand Hills Resort will pay fair market value for the land as valued by an appraisal.

In 1971, Mr. Williams, the current owner of the Sand Hills Resort, purchased the 5-acre resort and existing developments and over the ensuing 31

years has added numerous improvements to the property. The resort is a gateway to the St. Anthony Sand Dunes, a popular recreational area in southeast Idaho. Unfortunately, the 5-acre resort and a small strip of land containing roads, camping sites and power lines was inadvertently included in BLM's Sand Mountain Wilderness Study Area boundary, which was established in 1981.

Mr. Williams successfully operated the resort until the early 1990s, when the BLM began to question the location of the resort and several facilities located on the resort. In 1995, a survey was initiated confirming that the majority of the resort's facilities, including a portion of Mr. Williams' house, were encroaching on public land. Since June of 1998, the resort has operated under a Special Land Use Permit, which temporarily authorizes Mr. Williams' use of the public land in question and allows the BLM to collect a fair market rent.

In June of 1997, the BLM began working to sell Mr. Williams 10 acres of land in order to resolve the encroachment issue. In September of 1997, the BLM published A Notice of Intent to Prepare a Land Use Plan Amendment, the first step in the process that would have adjusted the boundary of the Sand Mountain Wilderness Study Area and allowed the BLM to sell approximately 10 acres to the Sand Hills Resort. Unfortunately, the local BLM office was not able to move forward with the plan amendment due to concerns that the proposed sale violated the BLM's Interim Management Policy for Wilderness Study Area Management.

Until the encroachment issue is resolved, Mr. Williams cannot gain clear title to his property, preventing him from obtaining a loan against the property or making improvements to the property. Furthermore, this prevents Mr. Williams or his family from selling the resort, placing an undue financial hardship on Mr. Williams and his family.

H.R. 2818 is a win-win solution to this longstanding issue. The Resources Committee and the administration support it, and I urge my colleagues to support this bipartisan, common sense legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I might consume.

The problem this bill is intended to address is the result of two different but related mistakes. The first mistake was to include this small parcel of private property within the boundaries of a Wilderness Study Area. The second was the encroachment onto Federal lands by the Sand Hills Resort. The Bureau of Land Management might have resolved the encroachment administratively had the area not been within a Wilderness Study Area. Thus, the two mistakes compounded each other.

Clearly, the sale of part of a WSA raises serious concerns. We would

strongly oppose any legislation authorizing such a sale to a landowner who had purposely trespassed on Federal land as a means of eventually acquiring property that might not otherwise have been available for disposal.

Unfortunately, determining precisely what this landowner knew or should have known and when he knew or should have known it would require an investigation of events that transpired more than 30 years ago. Further, it appears the property lines in this area of shifting sand dunes have only recently been established conclusively, and a certain amount of confusion is not surprising.

Therefore, allowing this landowner to purchase a small parcel for fair market value seems a reasonable solution to a difficult problem, and therefore we will not oppose H.R. 2818.

Madam Speaker, I have no further speakers on this bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 2818.

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.

**CARIBBEAN NATIONAL FOREST WILD AND SCENIC RIVERS ACT OF 2002**

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3954) to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3954

*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 “Caribbean National Forest Wild and Scenic Rivers Act of 2002”.*

**SEC. 2. WILD AND SCENIC RIVER DESIGNATIONS, CARIBBEAN NATIONAL FOREST, PUERTO RICO.**

(a) FINDINGS.—The Congress finds the following:

(1) In the revised land and resource management plan for the Caribbean National Forest/Luquillo Experimental Forest, approved April 17, 1997, and the environmental impact statement prepared as part of the plan, the Secretary of Agriculture examined the suitability of rivers within the Caribbean National Forest/Luquillo Experimental Forest for inclusion in the National Wild and Scenic Rivers System.

(2) Based on such examination, the Rio Icacos, Rio Mameyes, and Rio de La Mina were found to be free flowing waterways and to possess outstandingly remarkable scenic, recreational, geological, hydrological, biological, historical, and cultural values, and, therefore,

to qualify for addition to the National Wild and Scenic Rivers System.

(b) *DESIGNATIONS.*—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(\_\_\_\_) RIVERS OF CARIBBEAN NATIONAL FOREST, PUERTO RICO.—

“(A) RIO MAMEYES.—The segment of approximately 4.5 miles from its headwaters in the Baño de Oro Research Natural Area to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as follows:

“(i) As a wild river from its headwaters in the Baño de Oro Research Natural Area to the crossing point of Trail No. 24/11 (approximately 500 feet upstream from the confluence with the Rio de La Mina), a total of approximately 2.1 miles.

“(ii) As a scenic river from the crossing point of Trail No. 24/11 to the access point of Trail No. 7, a total of approximately 1.4 miles.

“(iii) As a recreational river from the access point of Trail No. 7 to the national forest boundary, a total of approximately 1.0 miles.

“(B) RIO DE LA MINA.—The segment of approximately 2.1 miles from its headwaters to its confluence with the Rio Mameyes, to be administered by the Secretary of Agriculture as follows:

“(i) As a recreational river from its headwaters in the El Yunque Recreation Area downstream to La Mina Falls, a total of approximately 0.9 miles.

“(ii) As a scenic river from La Mina falls downstream to its confluence with the Rio Mameyes, a total of approximately 1.2 miles.

“(C) RIO ICACOS.—The segment of approximately 2.3 miles from its headwaters to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as a scenic river.”.

(c) *SPECIAL MANAGEMENT CONSIDERATIONS.*—

(1) *CERTAIN PERMITTED ACTIVITIES.*—Subject to paragraph (2), the amendment made by the subsection (b) and the applicability of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) to the river segments added to the National Wild and Scenic Rivers System by the amendment shall not be construed to prevent any of the following activities within the boundaries of the river segments:

(A) Installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities, or any combination of such facilities, when the Secretary of Agriculture determines that such facilities are essential to the scientific research purposes of the Luquillo Experimental Forest.

(B) Construction and maintenance of nesting structures, observation blinds, and population monitoring platforms for threatened and endangered species.

(C) Construction and maintenance of trails to such facilities as necessary for research purposes and for the recovery of threatened and endangered species.

(2) *CONDITIONS.*—The activities authorized by paragraph (1) shall be subject to such conditions as the Secretary considers desirable. The Secretary shall ensure that the scale and scope of such activities within the boundaries of a river segment added to the National Wild and Scenic Rivers System by the amendment made by the subsection (b) are not detrimental to the characteristics of the river segment that merited its designation as a wild, scenic, or recreational river.

(d) *PRESERVATION OF COMMONWEALTH AUTHORITY.*—Nothing in this section or the amendment made by this section shall be construed to limit the authority of the Commonwealth of Puerto Rico over waters and natural channels of public domain pursuant to the laws of the Commonwealth of Puerto Rico.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Idaho (Mr. SIMPSON) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

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

Madam Speaker, Resident Commissioner ACEVEDO-VILÁ introduced and amended H.R. 3954, the Caribbean National Forest Wild and Scenic Rivers Act of 2002. The purpose of this Act is to designate three rivers within the Caribbean National Forest as Wild and Scenic Rivers.

These three rivers were recommended for wild and scenic designation in the Revised Land and Resource Management Plan for the Caribbean National Forest. This act is supported by the Committee on Resources and the administration. I urge my colleagues to favorably support this legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. CHRISTENSEN. Madam Speaker, the Caribbean National Forest Wildlife and Scenic Rivers Act of 2002 was introduced by the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ), my friend and the distinguished Representative of the Commonwealth of Puerto Rico, on March 13, 2002.

The bill would designate approximately 9.9 miles of three rivers, Rio Mameyes, Rio De La Mina, and Rio Icacos, within the Caribbean National Forest in Puerto Rico as components of the National Wild and Scenic River System. The Forest Service found these river segments eligible and suitable for designation as National Wild and Scenic River in a study completed in 1997.

The administration supports this bill, and I want to congratulate my colleague, the Resident Commissioner of Puerto Rico, for his efforts and hard work on this bill, and I urge its adoption.

Madam Speaker, I reserve the balance of my time.

□ 1530

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

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ, the Resident Commissioner of Puerto Rico).

(Mr. (Mr. ACEVEDO-VILÁ) asked and was given permission to revise and extend his remarks.)

Mr. ACEVEDO-VILÁ. Madam Speaker, I introduced H.R. 3954 to provide maximum protection for three extraordinary rivers that run through the tropical forest lands of the Caribbean National Forest known in Puerto Rico

as El Yunque. By further protecting the Rio Mayemes, the Rio Icacos, and the Rio de la Mina, Puerto Ricans and visitors to the Commonwealth would be able to enjoy these wonderful rivers in their free-flowing natural state for generations to come. These rivers have outstanding characteristics, including wonderful waterfalls, inviting pools, and large boulders. They also provide critical habitat for endangered species and sensitive tropical plant species.

It is the intent of the Wild and Scenic Rivers Act of 1968 to preserve rivers and sections thereof, to protect the water quality of such rivers, and to fulfill other vital conservation purposes. This legislation will protect three rivers in El Yunque from every possible encroachment, including the urban interface, development and business interests, and pollution. Wild and scenic designation will provide maximum protection for these beautiful rivers that make up a significant part of the experience of visiting El Yunque.

I want to thank the chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), the ranking member, the gentleman from West Virginia (Mr. RAHALL), and all my colleagues on the committee for supporting this bill. I ask for my colleagues' support of the Caribbean Wild and Scenic Rivers Act of 2002, and invite them to visit El Yunque upon their next visit to Puerto Rico. It is the only tropical rain forest within the national forest system and the only managed rain forest in the world. So the next time my colleagues visit Puerto Rico, I invite them to go, and I urge all my colleagues to vote in favor of this bill.

Madam Speaker, first I want to thank Chairman HANSEN, Ranking Member RAHALL, Subcommittee Chairman MCINNIS, Subcommittee Ranking Member INSLEE and all of my colleagues on the Resources Committee who have supported this laudable legislation.

I am proud that the House will consider H.R. 3954—The Caribbean National Forest Wild and Scenic Rivers Act of 2002. Should you not yet be familiar, I encourage you to visit El Yunque upon your next visit to Puerto Rico. I am sure you will agree that El Yunque, the only tropical rain forest within the U.S. National Forest System, is a natural wonder and unique, resource that we must preserve, and protect forever. El Yunque is the only managed rain forest on earth, and with this distinction comes heightened responsibility in my opinion, to fully protect this important resource. The enactment of this bill, along with the wilderness legislation (H.R. 3955) approved by the Committee last month, will help ensure that the natural integrity of El Yunque is preserved for the 1 million annual visitors to the CNF for generations to come.

H.R. 3954 would preserve and protect three rivers that flow within the boundaries of El Yunque. It is the intent of the Wild and Scenic Rivers Act of 1968 to preserve rivers and sections thereof to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is within this intent that I have introduced this bill, and I am fully committed to the preservation of these beautiful rivers. While there are additional rivers

within El Yunque that have received wild and scenic designation recommendations, the areas of these rivers are covered under H.R. 3955 through wilderness designation, or are within the existing Baño de Oro Natural Area. Therefore, I have followed recommendations to focus on rivers running outside of the proposed El Toro wilderness Area and outside of existing natural areas.

The three rivers that would be designated under this act were all recommended for inclusion under the National Wild and Scenic Rivers System by the revised land and resource management plan for the CNF, approved April 17, 1997. This management plan was the basis for the introduction of this bill, and I ask for your support during its consideration.

The three rivers include the Rio Mameyes, the Rio Icacos, and the Rio de La Mina. All three have outstanding characteristics and make up an integral part of the experience when visiting the forest.

The Rio Mameyes offers outstanding scenic, biological and recreational values to visitors. It flows over large boulders and numerous waterfalls, forming enjoyable pools. Trails run along gorges that descend through the forest. The water quality along the upper segment is optimum, with no interference from human encroachment.

The Rio Mameyes provides important habitat for the Puerto Rican Parrot and Puerto Rican Boa, both endangered species. Furthermore, the endangered Broad-winged and Sharp-shinned Hawks, and the threatened Peregrine Falcon, are also known to use this area. The Mameyes system enjoys the highest natural aquatic diversity and species richness of any forest watershed. The Mameyes remains the only uninterrupted, free flowing river in Puerto Rico.

The Rio de la Mina is judged as eligible based on its outstanding scenic, recreation, biological and historic values. Like the Mameyes, the Rio de La Mina descends over boulders and waterfalls, forming rapids and pools. Trails parallel the river and provide for numerous recreation areas. The most spectacular waterfalls in the forest exist along the Rio de la Mina. These falls, known as La Mina Falls, play an important role in promoting Puerto Rico as a prime vacation destination. The water quality is good within the proposed designation area. The Rio de la Mina also provides habitat for endangered animal and plant species.

The Rio Icacos is judged as eligible based on its outstanding scenic, historic, cultural and ecological values. The Rio Icacos has some of the most varied terrain of any of El Yunque's rivers. Near the headwaters, the gradient is less steep than further downstream where it also descends over boulders and waterfalls. In the upper section, the streambed exhibits a unique sandy bed due to its origin in the upper, flatter section. The palm forest is very striking along the bank, more so than in any other area of the forest. Water quality is high within the proposed designation area. Endangered animal and plant species are present within the proposed area.

With your support, these wild and scenic river designations in El Yunque can become a reality this year. Please let me know when and if you will visit the Caribbean National Forest. Puerto Ricans take great pride in El Yunque, and I assure you it is worth the trip to visit.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may

consume to once again commend the gentleman from Puerto Rico for his hard work on this bill.

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

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume to also commend the gentleman from Puerto Rico.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 3954, 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.

#### GENERAL LEAVE

Mr. SIMPSON. Madam 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 the three bills just considered, H.R. 3908, H.R. 2818, and H.R. 3954.

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

There was no objection.

#### EXPRESSING REGRET AND SYMPATHY FOR FAMILIES OF CANADIAN SOLDIERS WHO LOST THEIR LIVES IN SOUTHERN AFGHANISTAN

Mr. HOUGHTON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 412) expressing regret and sympathy for the families of the 4 Canadian soldiers who lost their lives on April 17, 2002, in a friendly-fire incident in southern Afghanistan.

The Clerk read as follows:

H. RES. 412

Whereas since the terrorist attacks on the United States on September 11, 2001, the Government and people of Canada have offered their steadfast support to the United States in the international war against terrorism;

Whereas this support is in defense of the values that define and unite the United States and Canada;

Whereas the Government of Canada has also provided significant military support to the international war against terrorism, first deploying troops to Afghanistan in October 2001;

Whereas on January 7, 2002, the Government of Canada announced it would be sending an additional 750 troops to Afghanistan from the 3rd Battalion of the Princess Patricia's Canadian Light Infantry Battle Group to support the coalition against terrorism;

Whereas on April 17, 2002, 4 Canadian soldiers from that battalion were killed and 8 others were wounded in a friendly-fire incident in southern Afghanistan;

Whereas the Canadian soldiers who lost their lives were Sergeant Marc D. Leger of

Lancaster, Ontario, Corporal Ainsworth Dyer of Montreal, Quebec, Private Richard A. Green of Edmonton, Alberta, and Private Nathan Smith of Tatamagouche, Nova Scotia;

Whereas the people of the United States value the friendship and goodwill of the people of Canada; and

Whereas President Bush has offered his sorrow and sympathy to the Government and people of Canada for this tragedy: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) praises the performance and heroism of Canadian soldiers;

(2) extends its regret and sympathy to the families of the 4 Canadian soldiers who lost their lives and others who suffered injury on April 17, 2002, in a friendly-fire incident in southern Afghanistan, and to the Government and people of Canada for their loss; and

(3) reaffirms the Nation's appreciation for Canada's strong support and commitment to the war against terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. HOUGHTON) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. HOUGHTON).

#### GENERAL LEAVE

Mr. HOUGHTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 412.

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

There was no objection.

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

I would like to talk a little bit informally, Madam Speaker, about the situation which has affected us all, and I know that the gentleman from California (Mr. LANTOS) will be doing the same thing, and I am delighted to be associated with my friend, the gentleman from California (Mr. LANTOS).

As we all know, on April 17, four Canadian soldiers were killed and eight Canadian soldiers were wounded by an American bomb that was mistakenly dropped on a Canadian training exercise near Kandahar in Afghanistan. I would like to read the names of the Canadian soldiers who are from the Third Battalion, the Princess Pat's Canadian Light Infantry Battle Group.

Before I read those names, I would like to just say that I grew up on stories of the Princess Pat's Regiment. It was a famous regiment. A great older friend of mine was in it in World War I and described some of the great battles that went on. So it is a very, very distinguished group.

The names of the soldiers are Sergeant Marc D. Leger of Lancaster Ontario; Corporal Ainsworth Dyer of Montreal, Quebec; Private Richard A. Green of Edmonton, Alberta; and Private Nathan Smith of Tatamagouche, Nova Scotia.

Now, as many of us know, these soldiers had been in Afghanistan since