

Some concerns were raised, however, concerning the potential for encroachment onto the Cibola Refuge, intentional or accidental, by recreational off-road vehicle enthusiasts who might visit Walter's Camp in the future. Clearly, off-road vehicle use is not compatible with the purposes of the Cibola National Wildlife Refuge. Moreover, this issue could become a significant management headache for both the Fish and Wildlife Service and the Bureau of Land Management, the agency that oversees the concession permit for Walter's Camp.

In this respect, I commend the gentleman from Maryland (Mr. GILCREST), the chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, and the gentleman from Guam (Mr. UNDERWOOD), the ranking Democrat on the subcommittee, for amending the bill to require the Secretary of the Interior to, within 6 months after the date of enactment, to re-survey and conspicuously mark the new adjusted boundaries.

I also note for the record that H.R. 3937, as amended in committee, would not affect in any way concession operations at Walter's Camp, nor would this legislation impose any new regulations on the different recreational activities, including ORV use, that occur on nearby Bureau of Land Management lands or lands within the refuge.

H.R. 3937 is thoughtful, commonsense legislation that will correct an administrative error, protect the fragile wildlife habitat of the Cibola Refuge and ensure the future operation of a much-needed recreational facility in a remote area.

I urge Members to support H.R. 3937.

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

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

We may have a colleague showing up here momentarily, but let me thank the gentlewoman, first of all, for her comments on this, and point out that we worked very well together on these bills where there is consensus and important issues, including recreation, for our constituents and the people of America.

Mr. HUNTER. Mr. Speaker, I would like to thank you for allowing this vote today on H.R. 3937. I would also like to express my appreciation to my constituent, Mr. Frank Dokter, who brought this important issue to my attention, and to Chairman GILCREST whose leadership was necessary in bringing this bill to the floor. The legislation is necessary to enable a family in my district to continue operating a long time outdoor recreation camp on a Bureau of Land Management (BLM) permit, which is in danger of being cancelled since the BLM recently discovered that the camp was included in the creation of a National Refuge in 1964.

Mr. Dokter and his family operate Walter's Camp, a BLM concession on land near the lower Colorado River in Imperial County, California. The facility provides visitors with a fam-

ily-friendly outdoors experience, which includes camping, hiking, canoeing, fishing, bird-watching and rock-hounding. In an increasingly crowded Southern California, Mr. Dokter and his family have provided a welcome diversion from city life to many of the region's outdoors enthusiasts.

Walter's Camp was first authorized in 1962, and in August 1964, Public Land Order 3442 withdrew 16,627 acres along the Colorado River to create the Refuge. The withdrawal erroneously included the 140 acre Walter's Camp, but neither the BLM or the Fish and Wildlife Service knew the new Refuge contained the Camp. Refuge personnel even built a fence years ago physically excluding Walter's Camp from the Refuge. The BLM continued to renew the original permit, allowing the recreational concession use to continue unbroken until the present time. However, given this recent discovery, the BLM does not have the authority to continue issuing the concession contracts to Walter's Camp.

The Fish and Wildlife Service and the BLM agree that the land has "insignificant, if any, existing, potential, wildlife habitat value," as stated in a Department of Interior memo. Therefore, I have introduced H.R. 3937 to correct this mistake and allow the BLM to continue to issue contracts to Walter's Camp.

Again, Mr. Speaker, I offer my sincere recommendation that this land be taken out of the Cibola National Wildlife Refuge, and that Mr. Dokter's family be allowed to continue such a valuable and productive service to our region. Respectfully, I urge my colleagues' support on final passage.

Mr. CANNON. 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 Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3937, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. CANNON. 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.

GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION ACT OF 2002

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3786) to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona, as amended.

The Clerk read as follows:

H.R. 3786

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 "Glen Canyon National Recreation Area Boundary Revision Act of 2002".

SEC. 2. GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION.

(a) *IN GENERAL.*—The first section of Public Law 92-593 (16 U.S.C. 460dd; 86 Stat. 1311) is amended—

(1) by striking "That in" and inserting "SECTION 1. (a) In"; and

(2) by adding at the end the following:

"(b)(1) In addition to the boundary change authority under subsection (a), the Secretary may acquire approximately 152 acres of private land in exchange for approximately 370 acres of land within the boundary of Glen Canyon National Recreation Area, as generally depicted on the map entitled 'Page One Land Exchange Proposal', number 608/60573a-2002, and dated May 16, 2002. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. Upon conclusion of the exchange, the boundary of the recreation area shall be revised to reflect the exchange.

"(2) Before the land exchange under this subsection, the Secretary may enter into a memorandum of understanding with the person that will acquire lands from the United States in the exchange, to establish such terms and conditions as are mutually agreeable regarding how those lands will be managed after the exchange."

(b) *CHANGE IN ACREAGE CEILING.*—Such section is further amended by striking "one million two hundred and thirty-six thousand eight hundred and eighty acres" and inserting "1,256,000 acres".

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

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

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

H.R. 3786, which I introduced, would authorize the Secretary of the Interior to complete a land exchange that would help him protect an important scenic view located in southern Utah at the Glen Canyon National Recreation Area and to revise the boundaries of the park to reflect the exchange and the present boundaries of the park.

The exchange would facilitate the acquisition of 152 acres, including an important scenic view by the Park Service, while the private developer would acquire 370 acres of land on the other side of Highway 89. The parcel acquired by the Park Service will also help facilitate a more manageable boundary at the park's most visited entrance. While the Park Service will be acquiring land of considerably greater value than the developer, the private developer has expressed a willingness to donate the approximately \$350,000 difference in value to the National Park Service.

H.R. 3786, as amended, also contains a provision that authorizes the Secretary of the Interior to enter into a Memorandum of Understanding with the developer to describe such terms and conditions as are mutually agreeable regarding how the lands will be managed following the exchange.

The bill is supported by both the majority and minority, as well as the administration, and I urge my colleagues to support it.

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

Mrs. CHRISTENSEN. Mr. 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. Mr. Speaker, H.R. 3786 would authorize the exchange of land within the Glen Canyon National Recreation Area for a private parcel adjacent to the park.

Mr. Speaker, a land exchange issue is very complex, and I want to take this opportunity to commend my colleague, the gentleman from Utah (Mr. CANNON), for his work in ushering this bill to the subcommittee and committee and getting it to the floor today.

As all of my colleagues are aware, there continues to be great concern regarding exchanges in general. In many instances, it is not at all clear that the taxpayers are receiving full value for the lands being traded away in their names. In fact, in many instances, it is clear they are not. We remain committed to developing a comprehensive approach that might address the failures in the current exchange process.

In the meantime, it is our hope that we would only approve specific exchanges that truly serve the best interests of the taxpayers, and it appears we have such an exchange in this instance.

The basic concept of the exchange contained in H.R. 3786 appears to serve both the interests of the private landowner as well as the park. In addition, once authorized, this exchange will go through a full NEPA process, including appraisals, which should identify and address any remaining issues.

We support passage of H.R. 3786.

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

Mr. CANNON. Mr. Speaker, I thank the gentlewoman for her support and kind words; and, having no more speakers, 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. CANNON) that the House suspend the rules and pass the bill, H.R. 3786, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. CANNON. 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.

□ 1415

NEW RIVER GORGE BOUNDARY ACT OF 2002

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3858) to modify the boundaries of

the New River Gorge National River, West Virginia.

The Clerk read as follows:

H.R. 3858

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 "New River Gorge Boundary Act of 2002".

SEC. 2. NEW RIVER GORGE NATIONAL RIVER BOUNDARY MODIFICATIONS.

(a) BOUNDARY MODIFICATION.—Section 1101 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m–15) is amended by striking "NERI-80,028A, dated March 1996" and inserting "NERI 80,034, dated May 2001".

(b) LAND EXCHANGE.—

(1) IN GENERAL.—The Secretary of the Interior shall complete a fee simple land exchange in the vicinity of Beauty Mountain, Fayette County, West Virginia, to acquire a tract of land identified as NERI Tract Number 150-07 that lies adjacent to the boundary of the New River Gorge National River in exchange for a tract of land identified as NERI Tract Number 150-08 located within such boundary.

(2) TREATMENT OF EXCHANGED LANDS.—Upon the completion of such land exchange—

(A) the land acquired by the United States in the exchange shall be included in the boundaries, and administered as part, of the New River Gorge National River; and

(B) the land conveyed by the United States in the exchange shall be excluded from the boundaries, and shall not be administered as part, of the New River Gorge National River.

The SPEAKER pro tempore (Mr. DAN MILLER of Florida). Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

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

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

H.R. 3858, introduced by the ranking member of the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL), would authorize the expansion of the boundary of the New River Gorge National River in West Virginia.

The New River Gorge National River was established in 1978 to preserve and protect approximately 53 miles of the free-flowing New River. It was also designated an American heritage river in July of 1998. The rugged New River flows northward through deep canyons and is considered to be among the oldest rivers on the continent. The National River Park unit presently encompasses approximately 70,000 acres. The park contains miles of hiking trails and even some mountain biking and horseback trails.

This bill would modify the boundaries of the park unit to take in six tracts of land, totaling 1,962 acres, from five different owners, all of whom are willing sellers. The modification to the boundary would allow for the preservation of scenic viewsheds within the park as well as accommodating certain recreational activities within the park. The bill would also address an encroachment issue in which a property owner unknowingly built his private

home within the boundaries of the park. This encompasses approximately only a third of an acre.

The bill is supported by both the majority and the minority, and I urge my colleagues to support it.

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

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

Mr. Speaker, H.R. 3858, introduced by my colleague and the ranking Democrat on the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL), would modify the boundary of the New River Gorge National River in West Virginia to add approximately 1,962 acres to the park and correct a minor boundary encroachment.

The proposed boundary modifications would enhance the management and use of the resource values of the New River. These additions consist of six tracts of land held by five owners, all of whom are willing sellers. The legislation would also correct the very minor boundary encroachment with a private landowner who has inadvertently constructed a portion of a home on Federal land.

The Committee on Resources held a hearing on H.R. 3858, and the bill was favorably reported by the committee last month. I would note that the gentleman from West Virginia (Mr. RAHALL) worked closely with the National Park Service on the development of this legislation, and I want to commend him for his long-standing efforts to provide for the protection and the use of the New River Gorge National River.

Mr. Speaker, I urge the favorable consideration of H.R. 3858 by the House today.

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

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

Mrs. CHRISTENSEN. 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 Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3858.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GOODLATTE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members