

season. By winning this championship, California State-Fullerton's coach George Horton and the rest of the Titans have a lifelong memory to treasure. Cal State's fans and the entire university community should be proud, as they are, of their team's accomplishments.

I want to urge Members to support this resolution.

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

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the resolution, H. Res. 704.

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

A motion to reconsider was laid on the table.

#### RESOLVING BOUNDARY CONFLICTS IN BARRY AND STONE COUNTIES, MISSOURI

Mr. BURNS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1167) to resolve boundary conflicts in Barry and Stone Counties in the State of Missouri.

The Clerk read as follows:

S. 1167

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

#### SECTION 1. RESOLUTION OF BOUNDARY CONFLICTS, VICINITY OF MARK TWAIN NATIONAL FOREST, BARRY AND STONE COUNTIES, MISSOURI.

(a) DEFINITIONS.—In this section:

(1) The term "appropriate Secretary" means the Secretary of the Army or the Secretary of Agriculture.

(2) The term "boundary conflict" means the situation in which the private claim of ownership to certain lands, based on subsequent Federal land surveys, overlaps or conflicts with Federal ownership of the same lands.

(3) The term "Federal land surveys" means any land survey made by any agency or department of the Federal Government using Federal employees, or by Federal contract with State-licensed private land surveyors or corporations and businesses licensed to provide professional land surveying services in the State of Missouri for Table Rock Reservoir.

(4) The term "original land surveys" means the land surveys made by the United States General Land Office as part of the Public Land Survey System in the State of Missouri, and upon which Government land patents were issued conveying the land.

(5) The term "Public Land Survey System" means the rectangular system of original Government land surveys made by the United States General Land Office and its successor, the Bureau of Land Management, under Federal laws providing for the survey of the public lands upon which the original land patents were issued.

(6) The term "qualifying claimant" means a private owner of real property in Barry or Stone County, Missouri, who has a boundary

conflict as a result of good faith and innocent reliance on subsequent Federal land surveys, and as a result of such reliance, has occupied or improved Federal lands administered by the appropriate Secretary.

(7) The term "subsequent Federal land surveys" means any Federal land surveys made after the original land surveys that are inconsistent with the Public Land Survey System.

(b) RESOLUTION OF BOUNDARY CONFLICTS.—The Secretary of the Army and the Secretary of Agriculture shall cooperatively undertake actions to rectify boundary conflicts and landownership claims against Federal lands resulting from subsequent Federal land surveys and correctly reestablish the corners of the Public Land Survey System in Barry and Stone Counties, Missouri, and shall attempt to do so in a manner which imposes the least cost and inconvenience to affected private landowners.

(c) NOTICE OF BOUNDARY CONFLICT.—

(1) SUBMISSION AND CONTENTS.—A qualifying claimant shall notify the appropriate Secretary in writing of a claim that a boundary conflict exists with Federal land administered by the appropriate Secretary. The notice shall be accompanied by the following information, which, except as provided in subsection (e)(2)(B), shall be provided without cost to the United States:

(A) A land survey plat and legal description of the affected Federal lands, which are based upon a land survey completed and certified by a Missouri State-licensed professional land surveyor and done in conformity with the Public Land Survey System and in compliance with the applicable State and Federal land surveying laws.

(B) Information relating to the claim of ownership of the Federal lands, including supporting documentation showing that the landowner relied on a subsequent Federal land survey due to actions by the Federal Government in making or approving surveys for the Table Rock Reservoir.

(2) DEADLINE FOR SUBMISSION.—To obtain relief under this section, a qualifying claimant shall submit the notice and information required by paragraph (1) within 15 years after the date of the enactment of this Act.

(d) RESOLUTION AUTHORITIES.—In addition to using existing authorities, the appropriate Secretary is authorized to take any of the following actions in order to resolve boundary conflicts with qualifying claimants involving lands under the administrative jurisdiction of the appropriate Secretary:

(1) Convey by quitclaim deed right, title, and interest in land of the United States subject to a boundary conflict consistent with the rights, title, and interest associated with the privately-owned land from which a qualifying claimant has based a claim.

(2) Confirm Federal title to, and retain in Federal management, any land subject to a boundary conflict, if the appropriate Secretary determines that there are Federal interests, including improvements, authorized uses, easements, hazardous materials, or historical and cultural resources, on the land that necessitates retention of the land or interests in land.

(3) Compensate the qualifying claimant for the value of the overlapping property for which title is confirmed and retained in Federal management pursuant to paragraph (2).

(e) CONSIDERATION AND COST.—

(1) CONVEYANCE WITHOUT CONSIDERATION.—The conveyance of land under subsection (d)(1) shall be made without consideration.

(2) COSTS.—The appropriate Secretary shall—

(A) pay administrative, personnel, and any other costs associated with the implementation of this section by his or her Department, including the costs of survey, mark-

ing, and monumenting property lines and corners; and

(B) reimburse the qualifying claimant for reasonable out-of-pocket survey costs necessary to establish a claim under this section.

(3) VALUATION.—Compensation paid to a qualifying claimant pursuant to subsection (d)(3) for land retained in Federal ownership pursuant to subsection (d)(2) shall be valued on the basis of the contributory value of the tract of land to the larger adjoining private parcel and not on the basis of the land being a separate tract. The appropriate Secretary shall not consider the value of any Federal improvements to the land. The appropriate Secretary shall be responsible for compensation provided as a result of subsequent Federal land surveys conducted or commissioned by the appropriate Secretary's Department.

(f) PREEXISTING CONDITIONS; RESERVATIONS; EXISTING RIGHTS AND USES.—

(1) PREEXISTING CONDITIONS.—The appropriate Secretary shall not compensate a qualifying claimant or any other person for any preexisting condition or reduction in value of any land subject to a boundary conflict because of any existing or outstanding permits, use authorizations, reservations, timber removal, or other land use or condition.

(2) EXISTING RESERVATIONS AND RIGHTS AND USES.—Any conveyance pursuant to subsection (d)(1) shall be subject to—

(A) reservations for existing public uses for roads, utilities, and facilities; and

(B) permits, rights-of-way, contracts and any other authorization to use the property.

(3) TREATMENT OF LAND SUBJECT TO SPECIAL USE AUTHORIZATION OR PERMIT.—For any land subject to a special use authorization or permit for access or utilities, the appropriate Secretary may convert, at the request of the holder, such authorization to a permanent easement prior to any conveyance pursuant to subsection (d)(1).

(4) FUTURE RESERVATIONS.—The appropriate Secretary may reserve rights for future public uses in a conveyance made pursuant to subsection (d)(1) if the qualifying claimant is compensated for the reservation in cash or in land of equal value.

(5) HAZARDOUS SUBSTANCES.—The requirements of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9620(h)) shall not apply to conveyances or transfers of jurisdiction pursuant to subsection (d), but the United States shall continue to be liable for the cleanup costs of any hazardous substances on the lands so conveyed or transferred if the contamination by hazardous substances is caused by actions of the United States or its agents.

(g) RELATION TO OTHER CONVEYANCE AUTHORITY.—Nothing in this section affects the Quiet Title Act (28 U.S.C. 2409a) or other applicable law, or affects the exchange and disposal authorities of the Secretary of Agriculture, including the Small Tracts Act (16 U.S.C. 521c), or the exchange and disposal authorities of the Secretary of the Army.

(h) ADDITIONAL TERMS AND CONDITIONS.—The appropriate Secretary may require such additional terms and conditions in connection with a conveyance under subsection (d)(1) as the Secretary considers appropriate to protect the interests of the United States.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. BURNS) and the gentleman from California (Mr. DOOLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. BURNS).

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

Mr. Speaker, I rise today to ask the House of Representatives to pass S. 1167, the Senate companion to H.R. 2304. This legislation provides a mechanism for the Forest Service and the Army Corps of Engineers to resolve boundary conflicts between the Mark Twain National Forest and adjacent private landowners. The dispute over boundaries stems from recent surveys conducted by contractors to the U.S. Army Corps of Engineers, which have frequently been found to be severely flawed by the State.

The measure sets a process for dealing with the disputed boundaries. A landowner would notify the Secretary of Agriculture of a disputed boundary, prompting a new land survey. If the Secretary determines the boundary conflict is the result of a reliance on a previous land survey, the land in dispute can be returned to the private property owner.

It is important to note that the bill does not require the conveyance of any particular lands. Where a new survey shows that the lands in question were surveyed improperly, the Forest Service can either execute a quit claim to the land, assert Federal ownership if the Federal Government has improved the land, or compensate the landowner for the land.

This is a case where the Federal Government has not exercised adequate due diligence in maintaining their land surveys to the detriment of their neighbors. Rather than redrawing map boundaries from Washington, we are creating a process where these folks can address their claims closer to home. The Committee on Agriculture regards this as an equitable solution to a local problem created by the Federal Government. I urge my colleagues to support this bill.

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

Mr. DOOLEY of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DOOLEY of California asked and was given permission to revise and extend his remarks.)

Mr. DOOLEY of California. Mr. Speaker, I rise in support of S. 1167, which seeks to correct a number of boundary conflicts that have occurred in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri.

The boundary conflicts at issue resulted from discrepancies between recent land surveys conducted by the U.S. Forest Service and decades-old surveys conducted by the Army Corps of Engineers. As a result of the more recent Forest Service land surveys, private property lines adjoining Federal lands were moved and private property landowners discovered that, due to their reliance on the older Army Corps of Engineers land surveys, they had in-

advertently trespassed on Federal lands.

S. 1167 will remedy these boundary conflicts by authorizing and directing either the Secretary of Agriculture or the Secretary of the Army to convey title to U.S. Forest Service land on which private landowners can demonstrate that they inadvertently trespassed due to their innocent reliance on a previous inaccurate Federal survey, or relied on a survey based on a previous inaccurate survey.

This legislation largely mirrors H.R. 2304 which passed the House on November 17. While most of the differences between S. 1167 and H.R. 2304 are technical, S. 1167 gives the Secretary of Agriculture or the Secretary of the Army more flexibility in resolving the boundary conflicts by explicitly allowing the appropriate Secretary to use existing authorities to resolve the conflicts, in addition to the process outlined in the legislation.

I urge my colleagues to support this legislation so that these boundary conflicts can be resolved.

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

Mr. BURNS. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT), the distinguished majority whip.

Mr. BLUNT. Mr. Speaker, I thank my friends both for supporting this bill and the gentleman from Georgia for yielding to me to talk about it a few minutes.

This is a bill, as the gentleman from California said, that the House has passed at an earlier time. It does seem occasionally that even in a very small, local issue that it takes an act of Congress to resolve a problem that one would think that common sense would be able to resolve, but in this case that is not the case and it takes this bill, Senate bill 1167, to provide a speedy resolution to really a boundary dispute affecting private property owners in my district.

The historic boundary lines neighboring the Mark Twain National Forest and Table Rock Lake in Missouri's Barry County and Stone County were blurred when the U.S. Forest Service decided in the recent past to restore the mid-1800s Corners Program. The only problem with restoring this program is that nobody, including the Corps of Engineers, had paid any attention to it since the mid-1880s and land surveys conducted in the 1970s by and for the Corps of Engineers have found that major discrepancies would be the case if these old markers somehow became the rule of how property would be determined. Instead, property has been based on a 1950s survey when Table Rock Lake was built.

A fight with the Federal Government over a boundary line can really be an uphill battle, as we all know or could imagine. Don Ayers of Shell Knob in my district tells me that the Forest Service showed up on his property and moved his boundary by 30 feet. When

they did that they essentially repossessed his driveway, took part of his garage and an outbuilding on the land that he had every reason to believe he owned and clearly not only had paid taxes on but had made improvements, including those improvements that the Forest Service said now would belong to them once that boundary line was moved. Recognizable and verifiable boundary lines are essential to private property ownership.

This bill, sponsored by my colleague from Missouri, Senator BOND, sets a process for dealing with disputed boundaries in Barry and Stone Counties. As the gentleman from California said, we passed similar legislation in this body last November. This bill allows us to go ahead and get that job done.

The Federal Government already owns one-third of the Nation's land, and inaccuracies in Federal surveys should never force landowners to forfeit their property. I urge my colleagues to support this commonsense legislation.

Mr. BURNS. Mr. Speaker, I urge my colleagues to support S. 1167.

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 Georgia (Mr. BURNS) that the House suspend the rules and pass the Senate bill, S. 1167.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BURNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 1167, the Senate bill just passed.

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

There was no objection.

#### EXPRESSING SENSE OF THE HOUSE ON ESTABLISHING NATIONAL COMMUNITY HEALTH CENTER WEEK

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 646) expressing the sense of the House of Representatives that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers.

The Clerk read as follows:

#### H. RES. 646

Whereas community, migrant, public housing, and homeless health centers are non-profit, community owned and operated health providers and are vital to the Nation's communities;