

REINTRODUCTION OF ROCKY MOUNTAIN NATIONAL PARK WILDERNESS ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. UDALL of Colorado. Mr. Speaker, today I am again introducing a bill to designate as wilderness most of the lands within the Rocky Mountain National Park, in Colorado.

This legislation will provide important protection and management direction for some truly remarkable country, adding well over 200,000 acres in the park to the National Wilderness Preservation System. The bill is essentially identical to one previously introduced by my predecessor, Representative David Skaggs, and one I introduced in the 107th and 108th Congresses. Those bills in turn were based on similar measures earlier proposed, including some by former Senator Bill Armstrong and others.

Over a number of years my predecessor and I have worked with the National Park Service and others to refine the boundaries of the areas proposed for wilderness designation and consulted closely with many interested parties in Colorado, including local officials and both the Northern Colorado Water Conservancy District and the St. Vrain & Left Hand Ditch Water Conservancy District. These consultations provided the basis for many of the provisions of the bill I am introducing today, particularly regarding the status of existing water facilities.

Since I introduced the bill in the 108th Congress, the communities which surround this park have been considering this wilderness proposal.

The Town of Grand Lake, located west of the park, held a public meeting this month to gauge public opinion. Most of those speaking expressed support for the wilderness designation. Immediately following this public testimony, the Grand Lake Town Council voted unanimously to support wilderness designation, something that they have communicated to me and the other members of Colorado's Congressional delegation in a letter dated June 29, 2005.

This week the Town of Estes Park, located east of the Park, held a similar town meeting to gauge public support for the proposal. Again, the community members who spoke at this hearing strongly supported wilderness protection for the Park. My understanding is that because of that public support the Estes Park Town Council also expressed general support and has directed their staff to prepare a resolution of support for the wilderness proposal as reflected in the bill I am introducing today.

The only differences between this bill and previous versions are that the new bill has a different map reference and does not include an exact acreage number.

Omission of an acreage number reflects the fact that in their letter of support the Grand Lake Town Council requested that the wilderness boundary be adjusted to facilitate work to remove some materials in order to reduce and manage forest fire risks and to accommodate some other concerns. My intention is to work with the Council, the National Park Service, and other interested parties in order to develop a response to those requests—an out-

come that likely would require a change in the exact acreage figure.

Less important than the exact acreage is the fact that the new wilderness will cover some 94 percent of the park, including Longs Peaks and other major mountains along the Great Continental Divide, glacial cirques and snow fields, broad expanses of alpine tundra and wet meadows, old-growth forests, and hundreds of lakes and streams, all untrammelled by human structures or passage. Indeed, examples of all the natural ecosystems that make up the splendor of Rocky Mountain National Park are included in the wilderness that would be designated by this bill.

The features of these lands and waters that make Rocky Mountain National Park a true gem in our national parks system also make it an outstanding wilderness candidate.

The wilderness boundaries will assure continued access for use of existing roadways, buildings and developed areas, privately owned land, and areas where additional facilities and roadwork will improve park management and visitor services. In addition, specific provisions are included to assure that there will be no adverse effects on continued use of existing water facilities.

This bill is based on National Park Service recommendations, prepared more than 25 years ago and presented to Congress by President Richard Nixon. It seems to me that, in that time, there has been sufficient study, consideration, and refinement of those recommendations so that Congress can proceed with this legislation. I believe that this bill constitutes a fair and complete proposal, sufficiently providing for the legitimate needs of the public at large and all interested groups, and deserves to be enacted.

It took more than a decade before the Colorado delegation and the Congress were finally able, in 1993, to pass a statewide national forest wilderness bill. Since then, action has been completed on bills designating wilderness in the Spanish Peaks area of the San Isabel National Forest as well as in the Black Canyon of the Gunnison National Park, the Gunnison Gorge, the Black Ridge portion of the Colorado Canyons National Conservation Area, and the James Peak area of the Arapaho-Roosevelt National Forests.

We now need to continue making progress regarding wilderness designations for deserving lands, including other public lands in our state that are managed by the Bureau of Land Management. And the time is ripe for finally resolving the status of the lands within Rocky Mountain National Park that are dealt with in the bill I am introducing today.

All Coloradans know that the question of possible impacts on water rights can be a primary point of contention in Congressional debates over designating wilderness areas. So, it's very important to understand that the question of water rights for Rocky Mountain National Park wilderness is entirely different from many considered before, and is far simpler.

To begin with, it has long been recognized under the laws of the United States and Colorado, including a decision of the Colorado Supreme Court, that Rocky Mountain National Park already has extensive federal reserved water rights arising from the creation of the national park itself.

This is not, so far as I have been able to find out, a controversial decision, because there is a widespread consensus that there

should be no new water projects developed within Rocky Mountain National Park. And, since the park sits astride the continental divide, there's no higher land around from which streams flow into the park, so there is no possibility of any upstream diversions. And it's important to emphasize that in any event water rights associated with wilderness would amount only to guarantees that water will continue to flow through and out of the park as it always has. This preserves the natural environment of the park, but it doesn't affect downstream water use.

The bottom line is that once water leaves the park, it will continue to be available for diversion and use under Colorado law regardless of whether or not lands within the park are designated as wilderness.

These legal and practical realities are reflected in my bill—as in my predecessor's—by inclusion of a finding that because the park already has these extensive reserved rights to water, there is no need for any additional reservation of such right, and an explicit disclaimer that the bill effects any such reservation.

Some may ask, why should we designate wilderness in a national park? Isn't park protection the same as wilderness, or at least as good? The answer is that the wilderness designation will give an important additional level of protection to most of the park.

Our national park system was created, in part, to recognize and preserve prime examples of outstanding landscape. At Rocky Mountain National Park in particular, good Park Service management over the past 83 years has kept most of the park in a natural condition. And all the lands that are covered by this bill are currently being managed, in essence, to protect their wilderness character. Formal wilderness designation will no longer leave this question to the discretion of the Park Service, but will make it clear that within the designated areas there will never be roads, visitor facilities, or other manmade features that interfere with the spectacular natural beauty and wildness of the mountains.

This kind of protection is especially important for a park like Rocky Mountain, which is relatively small by western standards. As nearby land development and alteration has accelerated in recent years, the pristine nature of the park's backcountry becomes an increasingly rare feature of Colorado's landscape.

Further, Rocky Mountain National Park's popularity demands definitive and permanent protection for wild areas against possible pressures for development within the park.

While only about one tenth the size of Yellowstone National Park, Rocky Mountain sees nearly the same number of visitors each year as does our first national park.

At the same time, designating these carefully selected portions of Rocky Mountain as wilderness will make other areas, now restricted under interim wilderness protection management, available for overdue improvements to park roads and visitor facilities.

So, Mr. Speaker, this bill will protect some of our nation's finest wild lands. It will protect existing rights. It will not limit any existing opportunity for new water development. And it will affirm our commitment in Colorado to preserving the very features that make our State such a remarkable place to live. So, I think the bill deserves prompt enactment.

For the information of our colleagues, I attach a fact sheet on this bill.

ROCKY MOUNTAIN NATIONAL PARK
WILDERNESS ACT

1. ROCKY MOUNTAIN NATIONAL PARK

Rocky Mountain National Park, one of the nation's most visited parks, possesses some of the most pristine and striking alpine ecosystems and natural landscapes in the continental United States. This park straddles the Continental Divide along Colorado's northern Front Range. It contains high altitude lakes, herds of bighorn sheep and elk, glacial cirques and snow fields, broad expanses of alpine tundra, old-growth forests and thundering rivers. It also contains Longs Peak, one of Colorado's 54 fourteen thousand-foot peaks.

2. CONGRESSMAN UDALL'S ROCKY MOUNTAIN
NATIONAL PARK WILDERNESS BILL

The Udall bill would:

Designate about 94 percent of the lands within Rocky Mountain National Park as wilderness, including Longs Peak—the areas included are based on the recommendations prepared over 24 years ago by President Nixon with some revisions in boundaries to reflect acquisitions and other changes since that recommendation was submitted.

Designate about 1,000-acres as wilderness when non-conforming structures are removed.

Add non-federal inholdings within the wilderness boundaries to the wilderness if they are acquired by the United States.

The Udall bill would not:

Create a new federal reserved water right; instead, it includes a finding that the Park's existing federal reserved water rights, as decided by the Colorado courts, are sufficient.

Include certain lands in the Park as wilderness, including Trail Ridge and other roads used for motorized travel, water storage and conveyance structures, buildings, developed areas of the Park, and private inholdings.

3. EXISTING WATER FACILITIES

Boundaries for the wilderness areas are drawn to exclude: existing storage and conveyance structures, thereby assuring continued use of the Grand River Ditch and its right-of-way; the east and west portals of the Adams Tunnel and gauging stations of the Colorado-Big Thompson Project; Long Draw Reservoir; and lands owned by the St. Vrain & Left Hand Water Conservancy District, including Copeland Reservoir.

The bill includes provisions to make clear that its enactment will not impose new restrictions on already allowed activities for the operation, maintenance, repair, or reconstruction of the Adams Tunnel, which diverts water under Rocky Mountain National Park (including lands that would be designated by the bill), or other Colorado-Big Thompson Project facilities. Additional activities for these purposes will be allowed, subject to reasonable restrictions, should they be necessary to respond to emergencies.

UPON THE FOURTH ANNIVERSARY
OF THE PASSAGE OF MR. ENGEL'S
AMENDMENT TO COMBAT
CHILD SLAVERY IN THE COCOA
INDUSTRY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. ENGEL. Mr. Speaker, I rise today to update you and our colleagues on the efforts to

combat the worst forms of child labor in the cocoa industry. In the United States, we spend approximately \$13 billion per year consuming over 3 billion pounds of chocolate. Most Americans are completely unaware that their chocolate is tainted with slave labor.

Four years ago, the House overwhelmingly passed an amendment I offered to the FY02 Agriculture Appropriations to provide funds to the FDA to label cocoa products as being made free of child slave labor. I had learned about this heinous situation from a series of articles run by Knight-Ridder. With ease, reporters were able to locate children working the fields of the Ivory Coast who had been trafficked in from Mali and Burkina Faso.

In an interview, one of these boys, Aly Diabate, told how he was sold into slavery when he was barely 4 feet tall. He said, "Some of the bags were taller than me. It took two people to put the bag on my head. And when you didn't hurry, you were beaten. The beatings were a part of my life. Anytime they loaded you with bags and you fell while carrying them, nobody helped you. Instead, they beat you and beat you until you picked it up again."

One of the farmers, Dote Coulibay, explained that if a boy tries to escape "if I let them go, I am losing money, because I spent money for them." Coulibay tells the boys "if you try to escape, I'll catch you and beat you."

I was so pleased and proud that my amendment passed, because I knew that it would lead to a great effort to end this horrible situation. I found a natural ally in my friend from Iowa, Senator TOM HARKIN, who has for many years championed the rights of children around the globe.

Working with Senator HARKIN, we engaged in discussions with the world's cocoa industry—always holding out the prospect of even stronger legislative language. Those negotiations led to an agreement that has become known as the Harkin-Engel Protocol. It is a voluntary agreement, signed by the leaders of the cocoa industry, including Hershey Food Corporation, Nestle, Mars, and Archer Daniels Midland Company.

Many called this an historic effort—an industry had agreed to take responsibility for the labor conditions on the farms, which they do not own.

The Protocol set out a series of deadlines—aggressive ones to be sure—that industry needed to meet to live up to its obligations. Industry met deadlines to reach out to and sign working agreements with NGOs who have expertise in this area. Industry created a foundation, called the International Cocoa Initiative, which is just now beginning its work to support social protection programs in West Africa.

However, the last deadline and most difficult will not be met. That deadline sought the development of credible, mutually acceptable, voluntary, industry-wide standards of public certification that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor by July 1, 2005. However, this Friday an industry-wide child labor monitoring system will not be in place.

Industry has taken some positive steps to address the worst forms of child labor in the cocoa industry. These include the creation of the International Cocoa Initiative foundation, which is now beginning to form partnerships with NGOs to provide social protection pro-

grams in West Africa. They have also begun to educate farmers about the proper role of child labor through the "farmer field schools" that are run to help farmers produce a better crop.

Efforts have also been undertaken by the governments of the Ivory Coast and Ghana. The Ivory Coast is funding a small pilot child labor monitoring and protection program in Oume. Ghana has worked with the International Labor Organization and the West Africa Commercial Agriculture Program, WACAP, to Combat Hazardous and Exploitive Child Labor that identified more than 650 children working in the "worst forms of child labor." WACAP covered less than 10 percent of the cocoa growing regions of Ghana—thus, tens of thousands of children could be in danger.

Over the last four years, I and my partners in this effort have learned much. Most importantly, we learned that it is vital for there to be social protection programs in place when children are found in these terrible circumstances. If there is not, there is a strong possibility that the child will be trafficked into a different industry, such as domestic servitude or sexual slavery.

Last week, Senator HARKIN and I sat down with representatives of the cocoa industry. As a result of that meeting, I am comfortable that the industry is committed to moving forward even though I am disappointed that the original deadline was not met. Within the framework of the Protocol, I and my partners will work closely with industry to eliminate the worst forms of child labor. As we move beyond the original deadline, industry has assured me they will redouble their efforts to have a child labor monitoring system put in place and social protection programs as well. Industry has committed at least \$15 million toward covering 50 percent of the growing areas of West Africa by the end of 2008.

The sad fact is that this is an international problem involving millions of slaves today. The U.S. State Department's Office to Monitor and Combat Trafficking in Persons estimates that 600,000 to 800,000 people are trafficked across international borders each year. They also estimate that as many as 15,000 people are trafficked into the United States. Thus, all the nations of the Earth continue to suffer this tragedy and we must all work together to see it finally put to an end.

Therefore, Mr. Speaker, I must report that we have made progress in combating the worst forms of child labor in the cocoa industry. However, we have much, much more to do.

IN HONOR OF CAPTAIN JEFFREY
E. KLINE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. FARR. Mr. Speaker, I rise today to honor Captain Jeffrey E. Kline, United States Navy, who retires this month after 26 years of uniformed service to our Nation's Navy. His career is highlighted by a blend of significant operational and academic achievement.

At the University of Missouri, Capt. Kline participated in the NROTC Program and was commissioned in 1979 upon graduation with