

Francisco Bay Area Council, Forty-Niner Council, Santa Clara County Council, Orange County Council, and Great Western Council. For the last four years he led the Monterey Bay Area Council as the Scout Executive, serving Santa Cruz, San Benito and Monterey Counties. I have had the particular pleasure of working with Ken on enhancing and preserving the Pico Blanco Boy Scout Camp in Big Sur that I enjoyed in my youth.

Under his leadership the Boy Scouts of America was enriched with growth in the organization and its outreach to boys. Some of his accomplishments include leading the San Francisco Bay Area Council to expand membership in youth outreach programs by 37.5 percent, and the annual youth membership there increased by 41 percent, more than any other council in the United States. He wrote the original national Scouting curriculum for In-School Scouting, developed and implemented the first In-School Scouting program for Latino youth in Orange County and East San Jose, and prepared public relations strategies for the Boy Scouts of America both at the local level and the national level.

Mr. Speaker, Ken Allen's career has been one of exemplary service to every community he lived in, and even more to the greater community of Scouting. His innovative programs and achievements are an inspiration to all who build our youth and strive to make the world a better place.

#### IN HONOR OF THE 125TH ANNIVERSARY OF IMMANUEL LUTHERAN CHURCH

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 28, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the leaders and members of Immanuel Lutheran Church of Cleveland, Ohio, as they gather in celebration of 125 years of faith, guidance and hope for parishioners, and for the greater good of the community.

The Church has not moved from its original location. Built more than a century ago, Immanuel Lutheran Church was the center of faith and support for hundreds of immigrant families who journey to America from Germany. Today, Immanuel Lutheran Church continues its mission and remains one of the few churches to conduct weekly services in German. The Reverend Horst Hoyer has faithfully served the congregation for 50 years, and remarkably, he is only the third pastor to serve in the 125-year history of the church.

The warm and inclusive atmosphere of Immanuel Lutheran Church, located in Cleveland's Tremont neighborhood, has remained constant through the years. This spirit of cooperation and unity has served to strengthen the spirit of the church and has also served to strengthen and uplift the surrounding neighborhoods.

Mr. Speaker and colleagues, please join me in honor and recognition of every leader and member, past and present, of Immanuel Lutheran Church, as they celebrate 125 years of offering spiritual guidance for countless families and individuals throughout the Tremont neighborhood and beyond. Since 1880, the

parish has evolved in scope and membership, yet the mission and location has remained an unwavering source of faith, hope and light, embracing the spiritual needs and everyday struggles of all members.

#### DISAPPROVING THE RECOMMENDATIONS OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

SPEECH OF

**HON. MARK GREEN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2005*

The House in Committee of the Whole House on the State of the Union had under consideration of the joint resolution (H.R. Res. 65) disapproving the recommendations of the Defense Base Closure and Realignment Commission:

Mr. GREEN of Wisconsin. Mr. Chairman, first and foremost, the implementation of the Base Realignment and Closure (BRAC) Commission recommendations will provide badly needed cost savings to our Nation. With the current state of our Federal budget, the enormous estimated spending reductions of over \$35 billion achieved through this new BRAC round are necessary to help put our fiscal house in order. These recommendations will also better enable our military services to confront the new threats our Nation faces today—increasing efficiency and effectiveness, and improving our national security.

That said, I still firmly disagree with some of the specific BRAC recommendations, such as the closure of the 440th Airlift Wing at General Mitchell Field in Milwaukee. The closure of the 440th is the wrong decision, and I have done everything in my power to try and convince the BRAC Commission that keeping the 440th up and running is an important priority. The 1,100 brave men and women of this unit have proven themselves often in recent missions to Honduras, Haiti, Somalia, Rwanda, Kosovo, Afghanistan, Kuwait, and several trips to Iraq. I believe their continued operations would have enhanced the security of our country.

Today, however, we were faced with an up-or-down vote on the BRAC Commission recommendations as a whole. On balance, I found the recommendations to be worthy of approval, and voted—with some reservations—against the motion to disapprove the final BRAC report.

#### INTRODUCTION OF ROCKY FLATS MINERALS ACQUISITION ACT

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 28, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a new bill to facilitate the acquisition by the United States of certain mineral rights associated with the Rocky Flats site, in Colorado.

This bill combines the key features of a bill that I introduced earlier this year, cosponsored by Representative BEAUPREZ, and legislation more recently proposed by Colorado's two Senators.

Thus, it combines elements that have bipartisan support and that, together, can lay the basis for answering one of the final questions about the future management of the lands at Rocky Flats.

#### BACKGROUND

In the 1950s, the Federal Government bought land at Rocky Flats, near Denver, Colorado, for use as a production facility for nuclear-weapon components. However, the purchase did not include all the mineral rights, some of which remained in private ownership.

Production at Rocky Flats ended more than a decade ago. Since then, the Department of Energy, DOE, through its contractors, has been working to have the site cleaned up and closed. As recently as this month, the contractor has indicated that it has completed the cleanup of the site. The regulatory certification of cleanup and closure is now imminent, and when that happens, most of the site will be transferred to the Interior Department for management as a national wildlife refuge pursuant to the Rocky Flats Wildlife Refuge Act.

#### ROCKY FLATS WILDLIFE REFUGE ACT

In 2001, Congress passed legislation I sponsored with Senator WAYNE ALLARD to guide the future of Rocky Flats. Under that legislation—the Rocky Flats National Wildlife Refuge Act of 2001—once the cleanup and closure are accomplished, most of the land at Rocky Flats will be transferred from the Department of Energy to the Department of the Interior and will be managed as a unit of the National Wildlife Refuge System.

The refuge act includes some provisions related to the non-Federal minerals—primarily sand and gravel—at Rocky Flats. It says “nothing in this [law] limits any valid, existing . . . mineral right” except for “such reasonable conditions on access . . . as are appropriate for the cleanup and closure of Rocky Flats and for the management of the refuge.” And it says that a Memorandum of Understanding, MOU, between DOE and Interior is to “address the impacts” mineral rights “may have on the management of the refuge, and provide strategies for resolving or mitigating these impacts.”

These provisions were included in the refuge act in order to make clear that while these mineral rights are to be respected as private property, future development of the minerals could have adverse effects on the land, wildlife habitat, and other values of the future wildlife refuge. That is why Congress directed the agencies to consider these potential future effects and work to find ways to mitigate those impacts. So far, however, the Energy and Interior Departments have not been able to agree on what to do about the minerals.

I think the best way to resolve this situation would be for the Federal Government to acquire the minerals. This bill is intended to facilitate that result.

#### WHAT THE BILL WOULD DO

The bill would—

(1) Authorize DOE to expend funds to acquire some or all of the minerals, including \$10 million from its appropriation for fiscal year 2006.

(2) Provide that DOE's expenditure of \$10 million for that purpose (or, under certain circumstances, an appropriate payment to specified Federal and State officials for acquisition of Rocky Flats minerals or for habitat restoration at Rocky Flats) will satisfy certain claims

the State of Colorado might bring for natural resources damages resulting from past discharges of hazardous substances at or from Rocky Flats; and

(3) Give the Interior Department two additional methods (either instead of or in addition to purchase for cash) for completing such acquisitions—namely: by giving “credits” that could be used instead of cash to pay for oil and gas leases on the Outer Continental Shelf; and/or by allowing federal lands or minerals anywhere in the country to be exchanged for the Rocky Flats minerals (under current law, such exchanges can only occur within the same state—Colorado lands/minerals for other Colorado lands/minerals).

The bill has no compulsory provisions. It would not require that any of the non-Federal interests at Rocky Flats be acquired by the government. It also would not require the owners of any mineral rights to sell any of those rights or to accept anything other than cash for any interests that they decide to sell. Any purchase of mineral rights, any transaction involving the new “credits,” or any exchange could take place only with the concurrence of the party selling minerals to the United States.

In addition, the bill includes a provision to make clear that the Federal Government cannot expand the Rocky Flats site by obtaining any non-Federal lands or interests in lands that are outside the site’s boundaries except with the consent of the owners of those lands or interests.

In developing earlier bills on this subject, I sought and obtained technical assistance from the Interior Department, gave careful consideration to comments from local governments and others in Colorado, and made revisions to earlier drafts of the legislation in response to points raised in those comments.

The additional provisions in the bill I am introducing today reflect not only the legislation introduced in the Senate but also helpful suggestions by the Rocky Flats Coalition of Local Governments (RFCLOG) and others.

Mr. Speaker, this bill—the “Rocky Flats Minerals Acquisition Act”—is intended to assist in successful implementation of something that is very important for all Coloradans—the establishment of the Rocky Flats National Wildlife Refuge. I think it deserves the support of every Member of the House.

For the information of our colleagues, here is a section-by-section outline of the bill:

#### SECTION-BY-SECTION OUTLINE

##### Section 1—

(1) provides a short title: “Rocky Flats Minerals Acquisition Act;”

(2) includes findings regarding the status of Rocky Flats and the desirability of federal acquisition of mineral interests within its boundaries; and

(3) states the bill’s purpose as being to facilitate acquisition of mineral and other rights associated with Rocky Flats.

Section 2 provides definitions of key terms used in the bill.

##### Section 3—

(1) authorizes the Department of Energy (DOE) to purchase Rocky Flats minerals for fair market value from willing sellers;

(2) requires DOE to consult with the Interior Department in order to determine which mineral rights should be given priority for acquisition; and

(3) provides that acquired mineral rights will be retained in Federal ownership and will not be subject to disposal under the mining or mineral leasing laws.

##### Section 4—

(1) authorizes DOE to use \$10 million of the FY 2006 funds appropriated for Rocky Flats (and any other funds appropriated for the purpose) to purchase mineral rights;

(2) provides that any claims the State of Colorado might bring under specified provisions of federal law for natural resources damages resulting from past discharges of hazardous substances at or from Rocky Flats will be satisfied by either—(a) DOE’s expenditure of \$10 million to purchase mineral rights at the site or, alternatively, (b) DOE’s payment to specified Federal and State officials (“Trustees”) of either \$10 million or the difference between amounts expended to buy minerals at Rocky Flats and \$10 million; and

(3) specifies that any funds the Trustees receive from DOE are to be used for purchasing Rocky Flats mineral rights or for habitat restoration projects at Rocky Flats, and spells out how this is to be done.

Section 5—provides DOE will retain administrative jurisdiction over any Rocky Flats lands where active mining is taking place and will not transfer those lands to the Interior Department until completion of reclamation under state law.

##### Section 6—

(1) authorizes the Interior Department to use appropriated funds, credits (with the concurrence of the party transferring lands or interests to the United States), exchanged lands or interests therein, or any combination of these, to acquire mineral interests or other non-Federal interests at Rocky Flats;

(2) defines “credits,” making clear that they can only be used for bonus bids or royalty payments for oil or gas leases on the Outer Continental Shelf, can be transferred, and must be used within 10 years of their issuance;

(3) specifies that while exchanges can involve BLM lands or interests in any State, only lands or interests identified as suitable for disposal under current law can be transferred to private ownership through such an exchange;

(4) specifies that no lands or interests therein outside the exterior boundaries of Rocky Flats can be acquired by the United States for the purposes of the Rocky Flats National Wildlife Refuge Act except with the consent of the owners of such lands or interests;

(5) provides that interests acquired by the United States under the bill will be managed as part of the wildlife refuge and cannot be developed or transferred out of Federal ownership; and

(6) specifies that the bill adds to the Interior Department’s existing authority and does not reduce any authority the Department already has.

founder and president of the Natural Resources Defense Council (NRDC). In 1970, with a small group of lawyers, he created the non-profit NRDC to protect the planet’s wildlife and wild places, and ensure a safe and healthy environment for all living things. As NRDC celebrates its 35th anniversary, Mr. Adams prepares to step down as its president and continue as a senior advisor, pursuing special projects on those issues about which he cares most passionately.

Mr. Adams brought together lawyers, scientists, and policy experts to help build, enforce and reinforce the solid foundation of federal statutes that have provided a legal basis for protecting the environment. Mr. Adams’ tenure with the organization encompasses the creation of pioneering laws like the Clean Air and Clean Water Acts, as well as more recent battles over global warming and energy security.

Nationally and internationally, NRDC became a leader in the fight against acid rain, water pollution, and urban smog. The organization has fostered stronger protections for our oceans, coasts, natural landscapes, forests, and wildlife. Under Mr. Adams’ guidance, the New York-based NRDC has become one of the world’s most effective advocacy organizations, with more than 1 million members and activists and a staff of nearly 300.

Along with his efforts as president of NRDC for 35 years, Mr. Adams taught for 26 years as an adjunct faculty member at New York University Law School, where he created the NYC/NRDC Environmental Law Clinic. He is chairman of the board of the Open Space Institute, created for the protection of land in New York State. He also serves on boards of the Woods Hole Research center, League of Conservation Voters, Centers for American Progress, American Conservation Association, and the Duke University’s Nicholas Institute for Environmental Policy Solutions.

In addition to his great professional success and public service, Mr. Adams is fortunate to share his life with his wife Patricia, to whom he has been married 40 years. Together, they have three grown children.

I commend John H. Adams for his 35 years of protecting the environment, safeguarding our natural resources and protecting our public health. He has created an environmental legacy that will serve to benefit the citizens of the United States for generations to come.

#### PERSONAL EXPLANATION

**HON. DEBORAH PRYCE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 28, 2005*

Ms. PRYCE. Mr. Speaker, on vote No. 533 regarding final passage of H.R. 554, the Personal Responsibility in Food Consumption Act, my vote was inadvertently not recorded. Had it been recorded it would have shown an “aye” vote to reflect my strong support for this legislation.

HONORING JOHN H. ADAMS

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 28, 2005*

Ms. PELOSI. Mr. Speaker, today I rise to recognize the legacy of John H. Adams, co-