

Imagine for a moment that the Federal Government sent you a notification that you need to repurchase land that you have owned for over 30 years. This is exactly what happened to landowners in the Crystal Lakes subdivision on the border of the Roosevelt National Forest.

When the Crystal Lakes subdivision was developed in 1975, an inaccurate land survey resulted in a 7-acre overlap with the U.S. Forest Service land. In 2006, the Crystal Lakes landowners were notified that parts of their property were on Federal land, and they would be required to purchase this land at current market price from the Forest Service.

It is simply unacceptable in these tough economic times to penalize the Crystal Lakes landowners for a mistake made through no fault of their own and a mistake the Federal Government has waited for over 30 years to rectify. The current property value is, without question, higher than it was at the time of the sale in the 1970s and 1980s.

If forced to repurchase their land, some landowners may be in danger of foreclosure. These property owners have bought their land in good faith and have been paying taxes on that land.

While I support the national forest system and the need to preserve land in the West for future generations, for the Federal Government to ask these landowners to repurchase land they have owned for decades stands against reason.

Therefore, I urge all my colleagues to vote for H.R. 1858 today to adjust the boundaries of the Roosevelt National Forest in Colorado. With your vote, we can ensure the landowners in Crystal Lakes will be able to remain on their land.

Mr. LAMBORN. Mr. Speaker, I commend my colleague from Colorado for bringing this bill. She is building on the good work that was begun by her predecessor, Congresswoman Marilyn Musgrave. This is a bill that I would urge all of my colleagues to support.

I yield back the balance of my time.

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1858, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### HALE SCOUTS ACT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 310) to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Okla-

homa to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 310

*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 "Help to Access Land for the Education of Scouts" or "HALE Scouts Act".

#### SEC. 2. LAND CONVEYANCE, OUACHITA NATIONAL FOREST, OKLAHOMA.

(a) FINDING.—Congress finds that it is in the public interest to provide for the sale of certain federally owned land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, for market value consideration.

(b) CONVEYANCE REQUIRED.—Subject to valid existing rights, the Secretary of Agriculture shall convey, by quitclaim deed, to the Indian Nations Council, Inc., of the Boy Scouts of America (in this section referred to as the "Council") all right, title, and interest of the United States in and to certain National Forest System land in the Ouachita National Forest in the State of Oklahoma consisting of approximately 140 acres, depending on the final measurement of the road set back and the actual size of the affected sections, as more fully described in subsection (c). The conveyance may not include any land located within the Indian Nations National Scenic and Wildlife Area designated by section 10 of the Winding Stair Mountain National Recreation and Wilderness Area Act (16 U.S.C. 460vv–8).

(c) COVERED LANDS.—The National Forest System land to be conveyed under subsection (b) is depicted on the map entitled "Boy Scout Land Request—Ouachita NF". The map shall be on file and available for public inspection in the Forest Service Regional Office in Atlanta, Georgia.

(d) CONSIDERATION.—As consideration for the land conveyed under subsection (b), the Council shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(e) USE OF PROCEEDS.—The consideration received under subsection (d) shall be deposited in the fund established by Public Law 90–171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a). The amount so deposited shall be available to the Secretary, without further appropriation, for expenditure for the acquisition of land and interests in land in the Ouachita National Forest.

(f) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (b) shall be determined by a survey satisfactory to the Secretary. The Council shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

(g) ACCESS.—Access to the land conveyed under subsection (b) shall be from the adjacent land of the Council or its successor. Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)), the Secretary shall not be required to provide additional access to the conveyed land.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may prescribe such terms and conditions on the conveyance under subsection (b) as the Secretary considers in the public interest, including the reservation of

access rights to the conveyed land for administrative purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

#### GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. GRIJALVA. Mr. Speaker, H.R. 310 would direct the Secretary of Agriculture to convey 140 acres of public land in Oklahoma administered by the United States Forest Service to the Indian Nations Council of Boy Scouts of America. The Boy Scouts will use the land to expand their existing camping area and will pay fair market value for the land.

H.R. 310 is identical to legislation that passed the House last year by a vote of 370–2.

Mr. Speaker, I want to commend our colleague, Representative BOREN, for his work on this legislation, and I urge our colleagues to support passage of H.R. 310.

I reserve the balance of my time.

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

The majority has explained this bill well. We are pleased to support this legislation also, which will help the young men of Oklahoma by allowing the Boy Scouts to expand their summer camp within the national forest to accommodate the fast-growing number of campers. This speaks volumes about the excellent organization that is the Boy Scouts of America.

□ 1445

I strongly support this legislation, and urge all of my colleagues to do so as well.

Mr. BOREN. Mr. Speaker, I rise today in support of this measure, H.R. 310, the HALE Scouts Act, granting the U.S. Forest Service authority to sell roughly 140 acres of land to the Indian Nations Council of Boy Scouts, which is adjacent to the Scout's summer camp, Camp Tom Hale located in Tahihina, OK. The Indian Nations Council of Boy Scouts is a non-profit organization providing educational programs for boys and young adults to build character, to train in the responsibilities of citizenship, and to develop personal fitness.

Camp Tom Hale first opened in June 1930 to serve Boy Scouts in the McAlester, Oklahoma area. It was originally located at what is now Robbers Cave State Park near Wilburton, Oklahoma. In 1963, the Boy Scout Council in McAlester worked with the State of Oklahoma and the U.S. Forest Service to exchange the camp at Robbers Cave for 480 acres of wilderness area in the Ouachita National Forest.

This "new" Camp Hale has continued as a summer adventure camp serving thousands of scouts during the intervening 41 years.

In 1997, the Council board developed a strategic plan for a \$3.5 million expansion and renovation of the camp. Since then, the Council has spent in excess of \$1 million continually updating and expanding facilities to meet the needs of scouts. As a result, a renewed emphasis on wilderness and the outdoors has flourished, with over 6000 scouts and leaders from a five state area attending weekly sessions offered in June and July and enjoying the beautiful Ouachita Forest.

Attendance has now exceeded the maximum number of available campsites and program areas, which is causing Camp Hale to begin turning away hundreds of scouts each summer. It is now critical for camp growth that the boundaries be extended to include more area for camping and additional program & training services. Successful completion of this objective will allow the Boy Scouts to continue the expansion of outdoor & leadership training for thousands of youth living in the Central Southwest and bring additional usage and enjoyment of the Ouachita Forest to more families.

It is for the benefit of these thousands of young Oklahomans that I proudly sponsored this measure. I greatly appreciate this House's consideration of this bill, and would like to urge my colleagues to support the measure.

Mr. LAMBORN. I yield back the balance of my time.

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 3123.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. LAMBORN. 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.

#### LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION ACT OF 2009

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3123) to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3123

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

#### SECTION 1. LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION.

(a) **SHORT TITLE.**—This section may be cited as the "Leadville Mine Drainage Tunnel Remediation Act of 2009".

(b) **TUNNEL REMEDIATION.**—The Reclamation Projects Authorization and Adjustment

Act of 1992 (Public Law 102-575) is amended as follows:

(1) By striking section 705.

(2) In section 708(a)—

(A) by striking "(a)" and inserting "(a)(1)";

(B) by striking "The Secretary shall have" and inserting "Except as provided by paragraph (2), the Secretary shall have"; and

(C) by adding at the end the following:

"(2) The Secretary shall participate in the implementation of the operable unit 6 remedy for the California Gulch Superfund Site, including, but not limited to, the following actions:

"(A) Treating water behind any blockage or bulkhead in the Leadville Mine Drainage Tunnel, including surface water diverted into the Tunnel workings as part of the remedy.

"(B) Managing and maintaining the mine pool behind such blockage or bulkhead at a level that precludes surface runoff and releases and minimizes the potential for tunnel failure due to excessive water pressure in the tunnel."

(3) In section 708(f), by striking "and 708" and inserting ", 708, and 709".

(4) By adding at the end of title VII the following:

#### "SEC. 709. TUNNEL MAINTENANCE.

"The Secretary shall take such steps to repair or maintain the structural integrity of the Leadville Mine Drainage Tunnel (LMDT) as may be necessary in order to prevent tunnel failure and to preclude uncontrolled release of water from any portion of the tunnel."

(5) In the table of sections contained in section 2—

(A) by striking the item relating to section 705; and

(B) by inserting after the item relating to section 708 the following new item:

"Sec. 709. Tunnel maintenance."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

#### GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. GRIJALVA. Mr. Speaker, H.R. 3123, introduced by our colleague Representative LAMBORN, will direct the Bureau of Reclamation to remedy problems caused by collapses in the Leadville Mine Drainage Tunnel. Due to structural deterioration, contaminated water has backed up in the tunnel, posing a public health and environmental threat.

I ask my colleagues to support the bill's passage.

Mr. GRIJALVA. Mr. Speaker, I submit for the RECORD the following exchange of letters between the Committee on Natural Resources and the Committee on Transportation and Infrastructure concerning H.R. 3123.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, September 8, 2009.

Hon. NICK RAHALL,  
Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN RAHALL: I write to you regarding H.R. 3123, a bill to direct the Secretary of the Interior to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado.

H.R. 3123 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, I agree to waive consideration of this bill with the mutual understanding that my decision to forego a sequential referral of the bill does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Transportation and Infrastructure over H.R. 3123.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Transportation and Infrastructure for the appointment of conferees on H.R. 3123 or similar legislation.

Please place a copy of this letter and your response acknowledging the Committee on Transportation and Infrastructure's jurisdictional interest in the Congressional Record during consideration of the measure on the House Floor.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.

Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL RESOURCES,

Washington, DC, September 8, 2009.

Hon. JAMES OBERSTAR,  
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your willingness to expedite floor consideration of H.R. 3123, a bill to direct the Secretary of the Interior to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado.

I appreciate your willingness to waive rights to further consideration of H.R. 3123, notwithstanding the jurisdictional interest of the Committee on Transportation and Infrastructure. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Transportation and Infrastructure if a conference is held on this matter.

This exchange of letters will be inserted in the Congressional Record as part of the consideration of the bill on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II,

Chairman, Committee on Natural Resources.

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

Mr. LAMBORN. Mr. Speaker, the Leadville Mine Drainage Tunnel was