

appear in section 1787(b)(3) of title 38 of the U.S. Code, absolutely does not—does not—require that any suit be filed under the Federal Tort Claims Act in order to secure this medical care as long as they meet the other requirements of the bill.

As you have noticed, that provision only requires exhaustion of “reasonably available” remedies. In the legislation, we are explicit that we want this care to be provided for family members even though at the present time, there is insufficient medical evidence to conclude that the illnesses or conditions listed in the bill are attributable to those exposures.

For this and other reasons surrounding litigation under the Federal Tort Claims Act, such an FTCA remedy can’t be considered to be “reasonably available.” To require exhaustion under the Federal Tort Claims Act would go completely against the intent of this piece of legislation to make this medical care available to these family members for these conditions so long as VA is considered the final payer as far as other third-party health plans.

Mr. MICHAUD. I thank the gentleman.

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

□ 1650

Mr. MILLER of Florida. Mr. Speaker, I once again encourage all Members to support the Senate amendments to H.R. 1627, and I yield back the balance of my time.

Mr. RUNYAN. Mr. Speaker, I rise in support of H.R. 1627, as amended, “The Honoring of America’s Veterans and Caring for Camp Lejeune Families Act of 2012.”

There are several components to this legislation, and they are all aimed toward improving veterans’ lives after their selfless sacrifice to our nation.

I would like to draw attention to the provisions that ensure the Veterans’ benefits process is more efficient, accountable, and fair for all Veterans and their families.

Section 703 of H.R. 1627 addresses the minimalist approach the VA has adopted in complying with its employee skills certification mandate.

This provision would address disparities in experience and training, while facilitating the individual accountability of employees.

The VA would conduct testing procedures that indicate basic competency of all claims processors and managers.

Test results indicating less than satisfactory scores on the exam would necessitate an individualized remediation program to aid them in improving their areas of deficiency.

Repeated failure after remediation would require the VA to take necessary personnel actions.

Additionally, Section 504 implements the use of electronic communication within the VA in providing notices of responsibility to claimants.

It also removes administrative provisions which have slowed down the processing of Veteran’s disability claims.

In total, this section would increase efficiency and help modernize the VA by author-

izing the most effective means available for communication while simultaneously removing administrative red tape.

Lastly, another provision that would reduce the claims backlog is Section 505, which clarifies the meaning of the VA’s duty to assist claimants in obtaining evidence needed to verify a claim.

As a result, this section establishes a clear and reasonable standard for private record requests as “not less than two requests.”

In addition, this section will encourage claimants to take a proactive role in the claims process.

I would like to take the remaining time to commend and thank the Committee for working with me in addressing the concerns affiliated with Arlington National Cemetery.

As Chairman of the House Veterans Affairs Disability Assistance and Memorial Affairs Subcommittee, DAMA, I am very pleased that our Committee continues to improve the ways in which we honor our veterans and preserve Arlington National Cemetery, ANC, as the sacred final resting place for those who have given the ultimate sacrifice in service to our country.

As a member of both the House Veterans Affairs and House Armed Services Committees, with a large veterans population and joint military installation in my home District, it has been an honor to join my colleagues in support of H.R. 1627, as amended, and to work in a bipartisan manner on behalf of veterans.

I would like to thank each of them for their tireless support on behalf of our veterans—the heroes who protect the freedoms we all enjoy. I know they share my commitment to ensuring that we take care of our veterans and military servicemembers.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 1627.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### ACCEPTANCE OF RELINQUISHMENT OF RAILROAD RIGHT OF WAY NEAR PIKE NATIONAL FOREST, COLORADO

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4073) to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4073

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

#### SECTION 1. ACCEPTANCE OF RELINQUISHMENT OF RAILROAD RIGHT OF WAY BY MANITOU AND PIKE PEAK RAILWAY COMPANY, COLORADO, OVER NATIONAL FOREST SYSTEM LAND.

(a) *AUTHORITY TO ACCEPT.*—Notwithstanding the Act of March 3, 1922 (43 U.S.C. 912), the Secretary of Agriculture may accept the quitclaim, disclaimer, and relinquishment by the Manitou and Pikes Peak Railway Company, successor in interest to the Mt. Manitou Park and Incline Railway Company, of a right of way, more fully described in subsection (b), within and adjacent to Pike National Forest that was originally granted by the Secretary to the Mt. Manitou Park and Incline Railway Company pursuant to the authority provided by the Act of March 3, 1875 (Chapter 152; 18 Stat. 482) for the construction of a railroad and station in El Paso County, Colorado.

(b) *RIGHT OF WAY DESCRIBED.*—The railroad right of way referred to in subsection (a) is located in the S½ of section 6, Township 14 South, Range 67 West, and N½SE ¼ of section 1, Township 14 South, Range 68 West, Sixth Principal Meridian, Colorado, and is depicted in a tracing filed in the United States Land Office at Pueblo, Colorado, file 019416, on December 24, 1914.

(c) *LIMITED APPLICABILITY.*—Nothing in this section shall be construed to affect the right, title, and interest of the Manitou and Pikes Peak Railway Company in land held in fee title by the Manitou and Pikes Peak Railway Company.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today, I am happy to speak in support of my legislation, H.R. 4073, a bill to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right-of-way within the Pike National Forest in my district.

Originally granted to the Mt. Manitou Park and Incline Railway Company, the Incline Trail exists today as the roadbed to the former Mt. Manitou Scenic Incline Railway, which was a cable car that took people up the eastern face of Rocky Mountain, Pikes Peak, at an average grade of 40 percent, with some of the steepest sections at a grade of 68 percent. Today, it has become a popular hike for adventure seekers in the Pikes Peak region and is said to be hiked nearly half a million times each year, although access is still considered trespassing.

A citizens’ initiative began over 8 years ago to encourage making access to this popular trail legal. Although all

parties are amenable, due to an act dated on March 3, 1875, the Forest Service has been unable to accept the quitclaim from the Manitou and Pikes Peak Railway. Recognizing this problem, the railway company came to me and asked that I carry this legislation to allow the Forest Service the authority to accept the quitclaim, which is the last major hurdle in allowing the Incline Trail to be legally opened for public use.

Although several people have informally maintained the incline, no formal steps have been taken by any of the property owners to maintain the Incline since 1997. Legalizing access to the trail will allow the surrounding communities access to repair sections of the trail that are in poor condition and will make use safer for all hikers.

It has been my pleasure to work with the interested parties in helping to gain legal access to this unique trail that I believe will be a wonderful addition to the region's trail inventory. I would like to thank the Forest Service and Senator MICHAEL BENNETT's office for their diligence in working with my office in this process.

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

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

(Mr. SABLON asked and was given permission to revise and extend his remarks.)

Mr. SABLON. Mr. Speaker, H.R. 4073 clears up a deed for a popular hiking destination, the Manitou Incline in Colorado. Upon enactment, the Pike National Forest will have full ownership of the trail, which ascends 2,000 feet to Pikes Peak.

We do not object to this legislation, Mr. Speaker, and I yield back the balance of my time.

Mr. LAMBORN. 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 Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 4073, as amended.

The question was taken.

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

Mr. SABLON. 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 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PINNACLES NATIONAL PARK ACT

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3641) to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3641

*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 "Pinnacles National Park Act".*

#### SEC. 2. FINDINGS.

*The Congress makes the following findings:*

(1) Pinnacles National Monument was established by Presidential Proclamation 796 on January 16, 1908, for the purposes of protecting its rock formations, and expanded by Presidential Proclamation 1660 of May 7, 1923; Presidential Proclamation 1704 of July 2, 1924; Presidential Proclamation 1948 of April 13, 1931; Presidential Proclamation 2050 of July 11, 1933; Presidential Proclamation 2528 of December 5, 1941; Public Law 94-567; and Presidential Proclamation 7266 of January 11, 2000.

(2) While the extraordinary geology of Pinnacles National Monument has attracted and enthralled visitors for well over a century, the expanded Monument now serves a critical role in protecting other important natural and cultural resources and ecological processes. This expanded role merits recognition through legislation.

(3) Pinnacles National Monument provides the best remaining refuge for floral and fauna species representative of the central California coast and Pacific coast range, including 32 species holding special Federal or State status, not only because of its multiple ecological niches but also because of its long-term protected status with 14,500 acres of Congressionally designated wilderness.

(4) Pinnacles National Monument encompasses a unique blend of California heritage from prehistoric and historic Native Americans to the arrival of the Spanish, followed by 18th and 19th century settlers, including miners, cowboys, vaqueros, ranchers, farmers, and homesteaders.

(5) Pinnacles National Monument is the only National Park System site within the ancestral home range of the California Condor. The reintroduction of the condor to its traditional range in California is important to the survival of the species, and as a result, the scientific community with centers at the Los Angeles Zoo and San Diego Zoo in California and Buenos Aires Zoo in Argentina looks to Pinnacles National Monument as a leader in California Condor recovery, and as an international partner for condor recovery in South America.

(6) The preservation, enhancement, economic and tourism potential and management of the central California coast and Pacific coast range's important natural and cultural resources requires cooperation and partnerships among local property owners, Federal, State, and local government entities and the private sector.

#### SEC. 3. ESTABLISHMENT OF PINNACLES NATIONAL PARK.

(a) ESTABLISHMENT AND PURPOSE.—There is hereby established Pinnacles National Park in the State of California for the purposes of—

(1) preserving and interpreting for the benefit of future generations the chaparral, grasslands, blue oak woodlands, and majestic valley oak savanna ecosystems of the area, the area's geomorphology, riparian watersheds, unique flora and fauna, and the ancestral and cultural history of native Americans, settlers and explorers; and

(2) interpreting the recovery program for the California Condor and the international significance of the program.

(b) BOUNDARIES.—The boundaries of Pinnacles National Park are as generally depicted on the map entitled "Proposed: Pinnacles National Park Designation Change", numbered

114/111,724, and dated December 2011. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ABOLISHMENT OF CURRENT PINNACLES NATIONAL MONUMENT.—

(1) IN GENERAL.—In light of the establishment of Pinnacles National Park, Pinnacles National Monument is hereby abolished and the lands and interests therein are incorporated within and made part of Pinnacles National Park. Any funds available for purposes of the monument shall be available for purposes of the park.

(2) REFERENCES.—Any references in law (other than in this Act), regulation, document, record, map or other paper of the United States to Pinnacles National Monument shall be considered a reference to Pinnacles National Park.

(d) ADMINISTRATION.—The Secretary of the Interior shall administer Pinnacles National Park in accordance with this Act and laws generally applicable to units of the National Park System, including the National Park Service Organic Act (16 U.S.C. 1, 2-4).

#### SEC. 4. REDESIGNATION OF PINNACLES WILDERNESS AS HAIN WILDERNESS.

Subsection (i) of the first section of Public Law 94-567 (90 Stat. 2693; 16 U.S.C. 1132 note) is amended by striking "Pinnacles Wilderness" and inserting "Hain Wilderness". Any reference in a law, map, regulation, document, paper, or other record of the United States to the Pinnacles Wilderness shall be deemed to be a reference to the Hain Wilderness.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. LAMBORN. 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 materials on the bill under consideration.

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

There was no objection.

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

H.R. 4631 renames Pinnacles National Monument as Pinnacles National Park. Pinnacles was originally designated in 1908 by President Roosevelt under the authority of the Antiquities Act. However, under this legislation, it is not anticipated that management would change dramatically as the area is already considered a unit of the National Park Service.

The Natural Resources Committee made important changes to H.R. 3641, allowing us to bring this to the floor today. For example, the committee removed a nearly 3,000-acre wilderness expansion and struck unnecessary land acquisition authority. With these changes, the goal of elevating recognition of the area as a national park is achieved without limiting access.

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

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

(Mr. SABLON asked and was given permission to revise and extend his remarks.)