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CLARIFICATION OF LEGISLATIVE
INTENT ON SANTA ROSA ISLAND

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 2007

Mr. HUNTER. Madam Speaker, after reading an opinion from the Department of the Interior Solicitor, I feel compelled to clarify the intent of Section 1077 (c) of P.L. 109-364. While others may misinterpret and even distort the actual impact of this language upon the healthy Kaibab Mule Deer and Roosevelt Elk herds that are currently living on Santa Rosa island, I want to make clear this section's intent is to protect both herds from extermination. It is just that simple and it does not do anything more narrow or broad. Nothing could emphasize this intent more clearly than Conference Report 109-702's explanation that Section 1077 was intended to "prohibit the Secretary of the Interior from exterminating or nearly exterminating the deer and elk on the island."

Clearly, when this provision became law, it directed the National Park Service (NPS) to allow the deer and elk that have thrived on Santa Rosa Island to remain on the island beyond 2011—the last year of the term within the settlement agreement. The use of helicopters is included within the settlement agreement and referenced by Section 1077(c) as it is likely the most effective way to conduct an extermination program. Section 1077(c) was not intended to prohibit only that method of extermination. These beautiful and healthy animals should remain on the island for visitors to enjoy. They should not be ruthlessly and systematically destroyed for some ill-conceived notion of native versus non-native, as others advocate.

The Solicitor has acted inappropriately by pulling a theory of congressional intent out of the air. Clearly, the intent of the language was not to "preclude the Department of the Interior from participating in any plan approved in the settlement agreement." In fact, the language, which is now law, was intended to do what it clearly states: (1) vitiate the settlement agreement with respect to the deer and elk draw-down and eradication plan and (2) allow the elk and deer to remain on Santa Rosa Island indefinitely. I want to highlight the intent of allowing the deer to remain on the island and make it clear that means these herds must be left to live on Santa Rosa Island. The congressional intent of this section was not to protect them only from slaughter, but also to protect them from relocation.

I must add, I find it deeply troubling that the administration, when testifying against the same provision before the Senate Committee on Energy and Natural Resources on May 16, 2006, testified that this provision would, "... require the Secretary of the Interior to stop the plan to remove the deer and elk from the island as required by a court-ordered settlement agreement. This provision would effectively overturn the 1998 settlement agreement, that the NPS is legally bound to, that requires the phase-out of non-native deer and elk over

several years and their complete removal from the Island by the end of 2011." I am bewildered why such an about-face has been made on a provision that is identical to the current law provision, having just passed the House of Representatives.

In closing, I hope this statement clarifies the intent of both P.L. 109-364 and the accompanying Conference Report 109-702. Both are clear on their face, but as the lead House negotiator of the Conference Committee of H.R. 5122, I felt it important to clear up any uncertainty brought forward by interpretations following a short-sighted agenda. This important conservation provision must stand and be properly interpreted so that the elk and deer are not slaughtered. Simply restated, it would be a tragedy to have these healthy populations of elk and mule deer exterminated from public lands to forward a misguided agenda of what belongs on Santa Rosa Island. Section 1077(c) is intended to prevent such eradication carried out by NPS or other parties to the settlement agreement.

My intent was clearly for the elk and deer herds to remain on Santa Rosa. This intent was clearly manifested in my numerous floor and committee statements in which I described my intent that wounded veterans are to be allowed to hunt these animals following the transfer of Santa Rosa from private ownership. My committee and floor statements regarding Santa Rosa Island, particularly floor statements made on December 16, 2005, and May 10, 2006, demonstrate this intent.

I also discussed the Santa Rosa provision with CNN's Anderson Cooper on June 13, 2006. A transcript of the interview follows:

JOE JOHNS, CNN CORRESPONDENT: 25 miles off the coast of Santa Barbara, more than triple the size of Manhattan, the crown jewel of the Channel Islands National Park. The remote and largely untouched Santa Rosa Island. Canyons, coastline, chaparral and pines and you own it. Taxpayers pay \$30 million for Santa Rosa Island. A treasure trove of ancient artifacts.

TORREY RICK, ARCHAEOLOGIST: It's incredible. I mean you don't get this kind of stuff anywhere else in the world, really.

JOHNS: Human bones found here date back 13,000 years. It's also unique for its inhabitants. The little island fox, endangered but so far not extinct. With all this at stake and more, the question before Congress is whether this park should be protected and open to all Americans year-round. Or should it also be used as a place where disabled veterans can come to hunt deer and elk? Which means tourists have to be kept safely out of the crossfire. Congressman Duncan Hunter, the powerful chairman of the House Armed Services Committee, has been pushing for months to give the vets special privileges on Santa Rosa.

REP. DUNCAN HUNTER, (R) CALIFORNIA: I was driving south with a bunch of marines, some guys fresh back from Iraq and one of them said, there's Santa Rosa Island and they're going to close it and they're going to wipe out the entire deer and elk herd.

JOHNS: But the idea of handing over hunting rights on an island that's supposed to be for everybody has infuriated some Democrats from California, who say it's like telling the public you bought it, now keep out.

REP. LOIS CAPPS, (D) CALIFORNIA: It's outrageous and I told him so. This is a Republican leadership that wants to kick taxpayers off a national park that they paid \$30 million for. Makes you wonder, first it's Channel Islands National Park, is it going to be Yellowstone, is it going to be the Shenandoah's?

JOHNS: It's not that disabled veterans aren't important. It's just that there are plenty of good hunting spots that aren't in national parks. For instance, military bases in remote areas. It's a battle playing out all over America but especially in the west, over how best to use national parks. In this case whether to restore the park to its pristine condition or to allow other uses.

Much of this is about the animals. The park service only wants animals here that are native to Santa Rosa. So the deer and elk shipped in nearly a century ago by the family that used to own the land must now go. So what about a compromise? Why not allow both hunting and tourists full-time? Well hikers and bullets are not a great trail mix. So long as there's hunting here, the park service has to keep the public out. The park service says the game needs to go.

RUSSELL GALLIPEAU, U.S. PARK SERVICE: I'm not against providing access to anybody. I just think that hunting and public use of this island are not compatible. And it's not a purpose for which this park was set aside.

JOHNS: So as taxpayers you paid for a remote national park, but now a powerful congressman says it should be managed as a place for disabled war vets to hunt deer and elk. For \$30 million, Santa Rosa may well be the biggest game trophy out there. Joe Johns, CNN, Santa Rosa Island, California.

COOPER: Well as Joe just mentioned Congressman Duncan Hunter is the force behind the move to keep the elk and deer on the island for hunting. We spoke earlier.

COOPER: So Congressman Hunter, you know your critics say look, taxpayers spent \$30 million to buy Santa Rosa Island. But as long as there's hunting there, 90 percent of it's closed to non-hunters for about half of the year. They say that's unfair.

HUNTER: Well, let me—let's put this in context. My son, who's a marine, did a couple of tours in Iraq and when he came back, he and I started taking wounded marines and soldiers hunting. We went to Arizona, Colorado, lots of good places. We had one hunt we took a person with a spinal disability. That is, a paralyzed veteran into Colorado, into the big national forest. And it's very difficult for them to have a real quality experience. Now, this island, Santa Rosa Island, which is off the California coast, which is 52,000 acres, has a very small number of public visitors. About 15 a day from the statistics I've seen.

COOPER: But the reason that there are only 15, the national park says about 5,000 people a year visit Santa Rosa Island. The reason more people aren't able to do it is because they can only visit about 10 percent of the island for half the year because of this hunting. If you close down the hunting, then the whole island basically would be open to visitors and to taxpayers who paid for it.

HUNTER: Listen, here's all we want. All we want is about two weeks a year for the paralyzed veterans to come over. I would be happy to stipulate that no congressman come over, no VIPs. Only people who are paralyzed veterans, who are very disabled veterans. And actually the reason most people don't go over to Santa Rosa Island is because it's a major boat trip or a plane trip. And tourists who are driving down the coast of California don't want to take a plane or a boat to simply get to another island. So we could easily accommodate the paralyzed veterans, they could have a great time. They could have the adventure of a lifetime.

And you know something, they may be wheelchair-bound but their spirits are free, they like adventure. This is a great place to take your family. And this could be a special niche for those people. And you know something else, the people of the United States, if the taxpayers knew that this was going to be used by paralyzed veterans, they'd say fine.

This is the park service that says, we want to wipe out this deer and elk herd because they're not native. They just want to do it because they've got the power to do it. They could easily accommodate our veterans.

COOPER: Is this the role of a national park? The national park service which runs this, basically would be subsidizing a hunting program. They say and critics say, look, there are other places for people with disabilities to hunt. We talked to the Paralyzed Veterans Association they say you know some states even allow those with disabilities to hunt from their cars.

HUNTER: Listen, the reason the national park people have their nice jobs and the reasons we as members of the American public get to enjoy national parks is because of people who wear uniforms who go out in dangerous parts of the world and secure our freedom. So let in some paralyzed veterans, many of whom have been injured in combat, to come have a small piece of this island that almost nobody goes to anyway, is a small repayment for their service to our country. I think the taxpayers would appreciate that.

COOPER: Congressman Hunter, appreciate you joining us, thanks.

Lastly, a letter provided by the Wounded Warrior Project reaffirms discussions and the intent to allow wounded and disabled veterans to enjoy Santa Rosa Island. The letter follows:

AUGUST 28, 2006.

Hon. DUNCAN L. HUNTER,
Chairman, House Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN HUNTER: On behalf of the Wounded Warrior Project (WWP), I am responding to your legislation that will cease the elimination of all elk and deer on Santa Rosa Island in California and could provide unrivaled hunting opportunities for severely wounded veterans.

The Wounded Warrior Project applauds any effort that supports our endeavors to assist severely injured military personnel. WWP has reached thousands of wounded service men and women, providing assistance in the transition from a hospital bed to an independent and productive life and we believe that Santa Rosa could offer the wounded another chance to participate in meaningful and enriching recreational activities such as fishing, hunting and camping.

This legislation is consistent with Wounded Warrior Project's adaptive sports and outdoors programs like hunting and fishing, snow and water skiing, canoeing and diving. For that reason we encourage the House of Representatives to pass this provision to potentially allow the use of the island for disabled service members.

We hope that together with the U.S. Fish and Wildlife Service and other federal organizations, a viable and sustainable daily operations system for the management of Santa Rosa Island can be developed and that our nation's wounded warriors will be able to enjoy the world class hunting that the island has to offer.

Thank you.

Sincerely,

JOHN MELLA,
Executive Director.

SUPPORT FOR H.R. 1678

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 2007

Ms. McCOLLUM of Minnesota. Madam Speaker, I rise today to express my support

for H.R. 1678, The Torture Victims Relief Reauthorization Act of 2007. This legislation continues and improves a much needed and valuable safety net to help victims of torture recover from their trauma and rebuild successful lives.

Every member of this body knows that torture is a tool used to enforce a level of terror among preyed upon people. Not only can the physical scars of torture last forever, the emotional pain experienced by victims can last a lifetime. Frequently, the aim of brutal torture is not to kill the victim, but to break their will. Victims are humiliated, crippled, traumatized and then returned to their communities as a brutal message of intimidation to others. In many instances, doctors and medical personnel participate during torture sessions to ensure the victim will not die. Groups that sanction, sponsor and commit torture focus on inflicting terror, intimidation and fear on entire communities.

But through appropriate help, services and intervention, victims of torture can heal. The Torture Victims Relief Act provides critical funds to improve access to the health, legal and social services critical to victims and their families through domestic treatment centers for rehabilitation and research and training for health care providers. H.R. 1678 also makes grants available to foreign countries to carry out projects that work to treat the psychological and physical effects of torture.

Treatment is critical, but there is more that can be done. This legislation also creates a partnership by increasing funding for foreign treatment centers and strengthening our commitment to the United Nations Voluntary Fund for Victims of Torture. This bill sends a strong message to the international community that treating victims of torture is a priority for Congress, and that we welcome the support of our like-minded friends around the globe.

This issue is important in my district. Minnesota is a new home for a growing number of immigrants and refugees and the late Senator Wellstone was a true champion for victims of torture. In addition, Minnesota is proud to be home to the Center for Victims of Torture—a world renowned center for the treatment and healing of torture victims. When the center opened in 1985, it became the first of its kind in the United States and only the third treatment center in the entire world. Today, with centers in Minneapolis, St. Paul, Washington, DC, Sierra Leone and Liberia, CVT is helping thousands of torture survivors from 60 countries.

Madam Speaker, torture is a crime against humanity and unacceptable at any time, by any nation. Any nation that tortures or tolerates torture is truly not free. I strongly encourage all my colleagues to support this legislation and commend the gentleman from New Jersey for his commitment to this issue and his work on this bipartisan legislation.

PERSONAL EXPLANATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 2007

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, on Thursday, May 10, 2007, my vote on the Motion to Recommit with Instructions to

H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008 (rollcall vote 340) was recorded as a "yes" vote when I intended to cast a "no" vote. I wish to clarify on the record my miscast vote and my strong support for the National Drug Intelligence Center (NDIC).

As the Nation's principal center for strategic domestic counterdrug intelligence, the National Drug Intelligence Center (NDIC) in Johnstown, PA, provides critical information on national drug trafficking and abuse trends in the United States. I was pleased to support funding for the NDIC in the Intelligence Authorization bills in both the 108th and 109th Congress.

Not only does the NDIC serve a vital role in our nationwide effort to combat drug trafficking, this center is critically important to the southwestern Pennsylvania region. Having these resources readily available in close proximity to the district I represent in Congress is a tremendous benefit to my constituents. NDIC field representatives on average have more than 30 years' experience in Federal, State, or local drug law enforcement and stand ready to assist my local law enforcement agencies and provide necessary intelligence and training. We are fortunate to have the Center in our backyard and look forward to benefiting from its work in the future.

The NDIC's comprehensive annual report on national drug trafficking and abuse trends within the United States is one of the key tools for the Federal Government to respond to the threat posed by drugs to our families, schools and communities. Formulated in partnership with Federal, State, and local agencies with information from more than 3,400 State and local law enforcement agencies as well as thousands of personal interviews with law enforcement and public health officials, this report is one of the most comprehensive and detailed reports that our Federal Government receives on both domestic and foreign drug threats to our country.

I look forward to continuing my support of the critical intelligence work of the NDIC to protect our families and the Nation.

CONGRATULATING THE DEVOLUTION OF GOVERNMENT IN NORTHERN IRELAND

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 14, 2007

Mr. WALSH of New York. Madam Speaker, it gives me great pleasure to join my colleagues here in the House in congratulating the people of Northern Ireland on the formation of their own duly elected government.

This remarkable achievement, the formal implementation of the Good Friday Agreement, sends a message of hope to the entire world. In Martin McGuinness's words, "This marks an end to 800 years of conflict." Surely if the Irish can reach a peaceful conclusion to their differences other troubled places around the world should celebrate the possibilities for themselves.

Much credit goes to the political leadership of Sinn Fein and the Democratic Unionist Party. Gerry Adams and Martin McGuinness showed great courage in leading their Nationalist side. Rev. Ian Paisley, noted for saying no, said yes to an agreement he helped construct. British Prime Minister Blair and Irish