protected” activity. And even in those cases, federal prosecution can only proceed if approved by the Attorney General. Our purpose is to see these crimes prosecuted by state and local governments more effectively. That’s why the bill authorizes funds to support state investigative and prosecutorial efforts.

The bill is not and should not be partisan. There should be an unanimous agreement that there will be “zero-tolerance” for the hate. This bill takes the first step in that direction.

HONORING RICO GIRON

HON. TOM UDALL
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to honor one of my constituents who has demonstrated great heroism. This extraordinary individual is Mr. Rico Giron, of San Miguel County, who risked his own life to save the lives of two young drowning children. Upon hearing the cries of the drowning children at a lake, Mr. Giron raced his boat toward the younger brother and sister and dove into the water after them. After pulling the girl ashore, Mr. Giron plunged back into the water to rescue the other boy. Using every last ounce of strength and energy, Mr. Giron was able to pull the boy ashore before collapsing from exhaustion. Mr. Giron’s valiant efforts saved the lives of these two young children. For this exceptional bravery, the Andrew Carnegie Hero Fund Foundation has awarded Mr. Giron the prestigious Carnegie Medal which recognizes those individuals who risk their own lives to save a child.

This national treasure has played an important role in the Revolutionary War, the War of 1812, the American Civil War, World Wars I and II, as well as hosting the site of the 1988 Reagan-Gorbachev summit, during the Cold War.

In 1800, in order to provide for the national defense, the people of the state of New York ceded control of Governors Island to the Federal government, then, in 1958, transferred the island outright for only $1.00. The U.S. Coast Guard has now vacated Governors Island because of the high costs involved in maintaining its base there. This now vacated island is being maintained by General Services Administration with an annual appropriation and, by law, which must be disposed of by 2002.

At the end of last year, the first important step to preserving this national treasure was taken when Castle William and Fort Jay were designated national monuments.

Now, both New York State and New York City need our help to preserve and protect one of our nation’s most important and beautiful landmarks, and to be able to turn Governors Island into a destination with significant open and educational spaces for public use.

The State and the City of New York have worked out a detailed plan which will protect the historic nature of the island while transforming the southern tip into a 50-acre public park, complete with recreation facilities and stunning views of the Statue of Liberty and the New York Harbor. New interactive educational facilities, including an aquarium and a historical village, are being planned, as is moderately-priced family lodging and a health center. The awe-inspiring opportunity we have to establish this new public space to complement both Liberty and Ellis Islands is unprecedented and mandates decisive action.

Accordingly, this Governors Island Preservation Act will open the doors to this opportunity by transferring the island back from the Federal Government to the citizens of New York for the same nominal price the Federal Government paid.

Mr. Speaker, I would like to take this opportunity to call upon all my colleagues in the House of Representatives, in asking their support for the Governors Island Preservation Act, H.R. 1334. Governor Pataki, our Senators, and Representatives NADLER, MALONEY, and myself, have all worked diligently to address every concern and to develop bipartisan legislation which will open Governors Island up not only to the people of New York, but to our entire Nation.

GOVERNORS ISLAND PRESERVATION ACT, H.R. 1334

HON. BENJAMIN A. GILMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. GILMAN. Mr. Speaker, today I rise to introduce H.R. 1334, the Governors Island Preservation Act. This legislation is a historic opportunity to preserve and protect the third and final jewel of New York Harbor, Governors Island.

Governors Island was owned and operated as a military facility by the British and American Armed Forces for more than 200 years. This national treasure has played an important role in the Revolutionary War, the War of 50TH ANNIVERSARY OF THE SOUTH SHORE ASSOCIATION FOR RETARDED CITIZENS

HON. WILLIAM D. DELAHUNT
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. DELAHUNT. Mr. Speaker, it gives me great pleasure to join today with people throughout Southeastern Massachusetts in celebrating the 50th Anniversary of the South Shore Association for Retarded Citizens.

What began in 1950 with a small group of parents in Weymouth seeking options for their
Mr. UDALL of Colorado Mr. Speaker, I am today introducing a bill to improve the ability of the Bureau of Land Management and the Forest Service to respond to a serious problem affecting federal lands in Colorado and other states. Throughout the west, and especially in Colorado, increased growth and development has resulted in an increase in recreational use of our public lands. These recreational uses have, in some cases, stressed the capacity of the public land agencies to adequately control and manage such use. As a result, areas of our public lands are being damaged.

One of the uses that cause the greatest impacts are recreational off-road vehicles. The results can include: damage to wildlife habitat; increased run-off and sediment pollution in rivers and streams; damage to sensitive high-altitude tundra, desert soils, and wetlands; creation of ruts and other visual impacts on the landscape; loss of quiet and secluded areas of the public lands; and adverse effects on wildlife.

Recreational off-road vehicle use on our public lands should be allowed to continue, but it must be managed to minimize or avoid these problems, by appropriate restrictions and putting some sensitive areas off-limits to vehicle use.

Most vehicle users are responsible—they stay on designated roads and trails, they are respectful of the landscape and they endeavor to tread lightly. However, there are a number of such users who do not obey the rules. Given the nature of this use (large, powerful motorized vehicles that are able to penetrate deep into the wilderness and sensitive areas), even a relatively few who violate management requirements can create serious damage to public land resources.

Yet, in some cases, recreational off-road vehicle users ignore these closures and management requirements. Often times, when these activities occur, the federal public land agencies do not have the authority to charge fines commensurate with the damage that results. For example, under BLMs basic law, the Federal Land Policy and Management Act of 1976, fines for violations of regulations—including regulations governing ORV uses—are limited to $1,000. That figure has remained unchanged for a quarter of a century, and does not reflect the fact that in many cases the damage from violations will cost thousands more to repair.

The bill I am introducing today would provide for increased fines for such violations—to $10,000 or the costs of restoring damaged lands, whichever would be greater.

The need for this legislation is well shown by a recent article published in the Denver Post by Penelope Purdy that outlines problems in New Mexico, Utah, and Idaho as well as some recent events in Colorado. As she reports, last August, two recreational off-road vehicle users ignored closure signs while four-wheel driving on Bureau of Land Management land high above Silverton, Colorado. As a result, they got stuck for five days on a 70 percent slope at 12,500 feet along the flanks of Houghton Mountain.

At first, they abandoned their vehicles. Then, they returned with other vehicles to pull their vehicles out of the mud and off the mountain. The result was significant damage to the high alpine tundra, a delicate ecosystem that may take thousands of years to recover. As noted in a Denver Post story about this incident, “Alpine plant life has evolved to withstand extreme temperatures, early year-round frost, drought, high winds and intense solar radiation, but it’s helpless against big tires.”

Despite the extent of the damage, the violators were only fined $600 apiece—hardly adequate to restore the area, or to deter others.

Another example was an event that occurred last year above Boulder, Colorado, that has become popularly known as the "mudfest.”

Two Denver radio personalities announced that they were going to take their off-road four-wheel-drive vehicles for a weekend’s outing on an area of private property along an existing access road used by recreational off-road vehicle users. Their on-air announcement resulted in hundreds of people showing up and driving their vehicles in a sensitive wetland area, an area that is prime habitat of the endangered boreal toad. As a result, seven acres of wetland were destroyed and another 18 acres were seriously damaged. Estimates of the costs to repair the damage ranged from $30,000 to hundreds of thousands of dollars.

Most of the “mudfest” damage occurred on private property. However, to get to those lands the off-road vehicle users had to cross a portion of the Arapaho-Roosevelt National Forest—but the Forest Service only assessed a $50 fine to the two radio disc jockeys for not securing a special use permit to cross the lands.

Again, this fine is not commensurate to the seriousness of the violation or the damage that ensued, or stands as much of a deterrent for future similar behavior. These are but two examples. Regrettably, there are many more such examples not only in Colorado but also throughout the west. These examples underscore the nature of the problem that this bill would address. If we are to deter such activity and recover the damaged lands, we need to increase the authorities of the federal public land agencies.

My bill would do just that. Specifically, my bill would amend the Federal Lands Policy and Management Act and relevant laws governing the Forest Service to authorize these agencies to assess greater fines on recreational off-road vehicle users for violations of management, use and protection requirements. The bill would authorize the Secretary of the Interior and the Secretary of Agriculture to assess to the area of private property along an existing access road used by recreational off-road vehicle users for violations of road and trail closures and other management regulations by recreational off-road vehicles. The bill also would authorize the Secretary of the Interior and the Secretary of Agriculture, in lieu of a specific dollar fine, to assess fines equal to the costs required to rehabilitate federal public lands from damage caused by recreational off-road vehicle violations.

In addition, the bill would authorize the Secretary of the Interior and the Secretary of Agriculture to apply any funds acquired from recreational off-road vehicle violations to the area that was damaged or affected by such violations, and to increase public awareness of the need for proper use of vehicles on federal lands.

This would give these agencies additional resources to recover damaged lands and areas that may be exposed to repeated violations.

The bill does not put any lands “off-limits” to recreational off-road vehicle use. It does not affect specific lands in any way. The bill also does not provide for increased fines for other activities that can damage federal lands. There may or may not be a need for legislation along those lines, but in the meantime I am seeking only to address this one problem.

Mr. Speaker, I fear that that improper use of recreational vehicles is a problem of growing seriousness throughout the west. My intention with this bill is to help address this problem so that all recreational users of our public lands can have a rewarding, safe and enjoyable experience. Everyone’s experience is diminished when a few bad actors spoil the resources and the beauty of our lands. I think this bill can help provide the BLM and the Forest Service with better tools to respond to these problems by allowing appropriate recreational use of our public lands while also protecting the resources and values of these lands that belong to all of us.