H.R. 2099, H.R. 3917 and H.R. 4874

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, RECREATION, AND PUBLIC LANDS

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

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LEGISLATIVE HEARING ON H.R. 2099, TO AMEND THE OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996 TO PROVIDE ADEQUATE FUNDING AUTHORIZATION FOR THE VANCOUVER NATIONAL HISTORIC RESERVE; H.R. 3917, TO AUTHORIZE A NATIONAL MEMORIAL TO COMMEMORATE THE PASSENGERS AND CREW OF FLIGHT 93 WHO, ON SEPTEMBER 11, 2001, COURAGEOUSLY GAVE THEIR LIVES THEREBY THWARTING A PLANNED ATTACK ON OUR NATION'S CAPITAL, AND FOR OTHER PURPOSES; AND H.R. 4874, TO DIRECT THE SECRETARY OF THE INTERIOR TO DISCLAIM ANY FEDERAL INTEREST IN LANDS ADJACENT TO SPIRIT LAKE AND TWIN LAKES IN THE STATE OF IDAHO RESULTING FROM POSSIBLE OMISSION OF LANDS FROM AN 1880 SURVEY

Tuesday, July 9, 2002
U.S. House of Representatives
Subcommittee on National Parks, Recreation, and Public Lands
Committee on Resources
Washington, DC

The Subcommittee met, pursuant to call, at 2 p.m., in room 1334, Longworth House Office Building, Hon. George Radanovich [Chairman of the Subcommittee] presiding.

STATEMENT OF HON. GEORGE RADANOVICH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RADANOVICH. Good afternoon. The Subcommittee on National Parks, Recreation, and Public Lands will come to order. And this afternoon we are going to hear testimony on three bills, H.R. 3917, H.R. 4874, and H.R. 2099. Our first bill, H.R. 3917, is

introduced by Representative John Murtha, would authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11th, 2001, courageously gave their lives, thereby thwarting a plane attack on our Nation's Capital.

Our second bill is H.R. 4874, introduced by our Committee colleague Butch Otter, which would direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey.

Finally, our last bill H.R. 2099, introduced by Representative Brian Baird, would amend the Omnibus Parks and Public Lands Management Act of 1994 to provide for increased funding authorization for the Vancouver National Historic Reserve.

Before—let's see. I am informed that Mrs. Christensen will not be here today, so I am going to ask for unanimous consent—I will likely get it—that Mr. Baird, Mr. Murtha, and Mr. Otter would be permitted to sit on the dais following statements. Without objection, so ordered.

Gentlemen, welcome to the hearing. And I think that what we will do is go to our first panel, and I am proud to recognize the Honorable Butch Otter, Representative from the First District of Idaho. Butch, welcome to your Committee, and please begin your testimony on H.R. 4874.

[The prepared statement of Mr. Radanovich follows:]

Statement of The Honorable George P. Radanovich, Chairman, Subcommittee on National Parks, Recreation, and Public Lands

Good afternoon. The hearing will come to order.

This afternoon the Subcommittee will hear testimony on three bills, H.R. 3917, H.R. 4874, and H.R. 2099.

Our first bill, H.R. 3917, introduced by Representative John Murtha, would authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital.

Our second bill, H.R. 4874, introduced by our Committee colleague Butch Otter, would direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey.

And finally, our last bill, H.R. 2099, introduced by Representative Brian Baird, would amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for increased funding authorization for the Vancouver National Historic Reserve.

Before turning the time over to Mrs. Christensen, I would ask unanimous consent that Mr. Baird, Mr. Murtha, and Mr. Otter be permitted to sit on the dais following their statements. Without objection, so ordered.

I now turn to the Ranking Member, Mrs. Christensen for any opening statement she may have.

STATEMENT OF HON. BUTCH OTTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO

Mr. OTTER. Thank you, Mr. Chairman. I was going—I hesitated, but I was going to ask for a division of that question, being the only other member of the Committee here. I might have allowed myself to sit up there, but I am not so sure about Brian.

Thank you, Mr. Chairman, for having this hearing today and for providing the opportunity for me to testify before the Subcommittee. I introduced House Resolution 4874, a bill to direct the

Secretary of Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in northern Idaho. The bill requires the Bureau of Land Management to conduct a new survey of the lakes to correct errors identified in the original 1880 survey.

For over 100 years, individuals have owned land around the beautiful lakes located in Idaho's Kootenai County. However, ownership is now in question for more than 400 families who bought the land and have paid taxes on the property. House Resolution 4874 will correct that problem.

In 1880, John B. David, a surveyor under contract with the General Land Office, grossly misrepresented portions of the actual lakeshore around Spirit Lake and Twin Lakes. In some places the meander line along the shore are up to a mile and a half away from their actual location. No one noticed the inaccurate survey when the land was originally patented, and no one caught the mistake over the years as the land changed hands. In the meantime, the shorelines of these popular lakes have become heavily developed. It was not until recently that Kootenai County surveyor Bruce Anderson—who will be testifying on the third panel, Mr. Chairman—discovered the problem.

County officials have expressed concern over their inability to approve and regulate new developments, surveys, and permits due to the inaccuracy of the original government survey. The problem will only worsen as the lake becomes more developed. Under current law the Bureau of Land Management is required to conduct a survey of the actual meander of the lakes. The lands between the old incorrect meander line and the new meander line will become omitted land and would revert to the Federal ownership. Property owners would be required to repurchase at fair market value the land they believed they had owned for over 100 years as well as pay for the survey and the administrative costs, and I think that that is simply not fair. These individuals bought the land in good faith, and the government should not be allowed to take it from them simply because of a survey error over 120 years ago.

My legislation corrects the problem by creating a solution that retains the correct ownership situation without placing the expense of correcting it on the affected property owners. H.R. 4874 allows BLM to issue a, quote, disclaimer of interest, end quote, in the affected lands so title companies in Kootenai County can proceed with ownership-related matters around clear title.

The legislation also authorizes the necessary funding at Bureau of Land Management to conduct a new survey and perform the required administrative procedures. Most of the property owners involved in this situation have a chain of title that goes back well over 100 years. H.R. 4874 is really the only acceptable solution to that problem, and I look forward to hearing from the witnesses, both from the Administration as well as from Kootenai County, and I want to work with my colleagues on this legislation.

I thank you very much, Mr. Chairman, for your time.

Mr. RADANOVICH. Thank you, Mr. Otter.

[The prepared statement of Mr. Otter follows:]

Statement of The Honorable C.L. "Butch" Otter, a Representative in Congress from the State of Idaho

Mr. Chairman, thank you for having this hearing today and for providing the opportunity for me to testify before the Subcommittee.

I introduced H.R. 4874 a bill to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in northern Idaho. The bill requires the Bureau of Land Management to conduct a new survey of the lakes to correct errors identified in the original 1880 survey.

For over one hundred years, individuals have owned land around the beautiful lakes located in Idaho's Kootenai County. However, ownership now is in question for more than 400 people who bought the land and pay taxes on the property. H.R. 4874 will correct that problem.

In 1880 John B. David, a surveyor under contract with the General Land Office, grossly misrepresented portions of the actual lakeshore around Spirit Lake and Twin Lakes. In some places the meander lines along the shore are up to a mile and a half away from their actual location. No one noticed the inaccurate survey when the land was originally patented, and no one caught the mistake over the years as the land changed hands. In the meantime, the shorelines of these popular lakes have become heavily developed.

It was not until recently that Kootenai County Surveyor Bruce Anderson, who will be testifying on the third panel, discovered the problem. County officials have expressed concern over their inability to approve and regulate new developments, surveys, and permits due to the inaccuracy of the original government survey. The problem will only worsen as the lakes become more developed.

Under current law, the Bureau of Land Management is required to conduct a resurvey of the actual meander of the lakes. The lands between the old incorrect meander line and the new meander line would become omitted land and would revert to Federal ownership. Property owners would be required to repurchase, at fair market value, the land they believed they owned for over 100 years, as well as pay for survey and administrative costs. That is simply not fair. These individuals bought the land in good faith and the government should not be allowed to take it from them simply because of a survey error over 120 years ago.

My legislation corrects the problem by creating a solution that retains the correct ownership situation without placing the expense of correcting it on the affected property owners. H.R. 4874 allows BLM to issue a "disclaimer of interest" in the affected lands so title companies and Kootenai County can proceed with ownership related matters surrounding clear title. The legislation also authorizes the necessary funding for BLM to conduct a new survey and perform the required administrative procedures.

Most of the property owners involved in this situation have a chain of title that goes back over 100 years. H.R. 4874 is really the only acceptable solution to the problem. I look forward to hearing from the witnesses and I want to work with my colleagues to get this legislation passed.

Thank you, Mr. Chairman.

Mr. RADANOVICH. We will now move on to the honorable Brian Baird, who is representing the Third District of Washington, speaking on H.R. 2099. Brian, welcome back to Committee. It is good to have you here again, and please begin your testimony.

STATEMENT OF HON. BRIAN BAIRD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Mr. BAIRD. Mr. Chairman, I thank you for the opportunity to testify before you today. I will make essentially two points, which will be reiterated by my good friends Mayor Royce Pollard and Bruce Hagensen of America's Vancouver.

The two points I want to emphasize are these: First of all, the historic reserve in Vancouver is of tremendous national historical significance, as you will hear shortly. And, second, any investment by the Park Service in the National Historic Reserve in Vancouver is leveraged strongly by additional funding by the local and private partners in this venture.

Fort Vancouver is located on the banks of the Columbia River, and is perhaps the most important significant historical site in the Pacific Northwest. It is of rich cultural and historical significance, and that historical significance actually predates even the Lewis and Clark expedition.

The Vancouver Barracks was established originally in 1849, when the first contingent of U.S. Army troops arrived in the newly American lands. From 1849 until World War I, during which time some of the Army's most promising officers, including Ulysses S. Grant, Phil Sheridan, George McClellan, and George C. Marshall, were stationed in Vancouver, during that period the barracks was the principal military headquarters for the entire Pacific Northwest. Owing to this national significance, the site was designated by Congress as a national historical monument in 1948, and later as a national historical site. The 55-acre Vancouver Barracks contains 32 structures, many of which have been determined to be eligible for listing on the National Register of Historic Places, including several rare examples of military architecture.

The barracks is an important part of the Vancouver National Historic Reserve, which was designated by Congress in 1996 for coordinated preservation, public use, and management of historic sites within the Vancouver area. The reserve was established as a partnership among landowners in the reserve, which included the National Park Service, the city of Vancouver, the U.S. Army, and the Washington State Office of Archaeology and Preservation. The 366-acre historic reserve contains Fort Vancouver National Historic Site, the Vancouver Barracks, Officers Row, Pearson Air Field, the Water Resource Center, and portions of the Columbia River waterfront. It is truly a unique and wonderful resource.

The 1996 Act that created the historic reserve provided an initial $5 million authorization for capital projects which has now been fully appropriated. It is important to note that a provision was included in the Fiscal Year 2002 Interior appropriations bill which essentially said there will be no further Federal appropriations for capital projects until a new authorization for such projects is approved by Congress. Of great importance to the district and to our Nation, the legislation before us today would increase from 5 million to 25 million the authorization for appropriations.

For over a half century, local, State and Federal agencies, along with private individuals and organizations, have collaborated to preserve and interpret the history of Vancouver and the region. During the past 15 years—and this is important to emphasize—more than $30 million has been invested in property improvements and projects within the present historic reserve boundaries. The Federal Government to date has provided approximately 25 percent of the capital funds, while the remaining 75 percent has been provided by local and State governments and foundations, such as the Vancouver National Historic Trust as well as individuals and businesses. You will be hearing from, again, my friends Mayor Pollard and former Mayor Hagensen about these investments.

Based on the Barracks Adaptive Reuse and Economic Analysis, it has been determined that rehabilitation of buildings in the area will require approximately $40 million. The city of Vancouver has committed $6 million for this purpose, the State of Washington has

committed $6 million for educational uses, and private donations will make up an additional 8 million; hence, the aforementioned leveraging of the Federal funds. Thus we are asking for eventually a total Federal contribution of $20 million, which is why we need the authorization today.

I appreciate the Committee's careful consideration of this request for an increase in authorization for Fort Vancouver National Historic Reserve, and I look forward to working with the Chairman and the Committee to make that happen. I appreciate your time today and your interest in this matter.

Mr. RADANOVICH. Thank you, Mr. Baird.

[The prepared statement of Mr. Baird follows:]

Statement of The Honorable Brian Baird, a Representative in Congress from the State of Washington

Mr. Chairman, Madame Ranking Member, and Members of the Subcommittee, I appreciate the opportunity to testify before you today in support of my legislation, H.R. 2099. This bill would increase the authorization for Federal spending on preserving and rehabilitating the Fort Vancouver National Historic Reserve.

Fort Vancouver, located on the banks of the Columbia River, is perhaps the most significant historic site in the Pacific Northwest. It is rich in historic and cultural national significance, pre-dating the arrival of Lewis and Clark through the mid–20th century. Before the arrival of the American traders and well before the Lewis and Clark expedition arrived, this site on the shore of the Columbia River was a home to a variety of Indian tribes for over 10,000 years, including the Cascades, Chehalis, Chinook, Clallam, Cowlitz, Klickitat, Nisqually, Tillamook, and Shasta tribes. Fort Vancouver was also headquarters for the Hudson's Bay Company's Columbia Department, embracing present-day British Columbia, Washington, Oregon and Idaho. The trading post, which was the center of the region's fur trading enterprise, represented Britain's business and governmental interests in competition with the United States. The 1846 treaty between Great Britain and the United States established today's northern-most boundary at the 49th parallel.

The Vancouver Barracks was established in 1849 when the first contingent of U.S. Army troops arrived in the newly American lands. From 1849 until World War I, during which time some of the Army's most promising officers (including Ulysses S. Grant, Phillip Sheridan, George McClellan and George C. Marshall) were stationed at Vancouver, the barracks was the principal military headquarters for the Pacific Northwest. Owing to its national significance, the site was designated by Congress as a National Historic Monument in 1948, and later as a National Historic Site. The 55-acre Vancouver Barracks contains 32 structures, many of which have been determined to be eligible for listing on the National Register of Historic Places, including several rare examples of military architecture.

The Vancouver Barracks is an important part of the Vancouver National Historic Reserve, which was designated by Congress in 1996 for the coordinated preservation, public use and management of historic sites within the Vancouver area. The Reserve was established as a partnership among the landowners in the Reserve, which include the National Park Service, the city of Vancouver, the U.S. Army and the Washington State Office of Archaeology and Historic Preservation. The 366 acre Historic Reserve contains Fort Vancouver National Historic Site, the Vancouver Barracks, Officers Row, Pearson Field, the Water Resources Center and portions of the Columbia River waterfront.

Today, I welcome the opportunity to discuss the importance of H.R. 2099, which seeks to preserve Fort Vancouver for future generations. The 1996 Act that created the Historic Reserve provided an initial $5 million authorization for capital projects, which has been fully authorized. It is important to note that a provision was included in the Fiscal Year 2002 Interior Appropriations bill which essentially says there would be no further Federal appropriations for capital projects within the Vancouver National Historic Reserve unless and until a new "authorization" for capital projects is approved by Congress. Of great importance to my congressional district, to the Pacific Northwest and our nation, the legislation would increase from $5 million to $25 million the authorization of appropriations for the Vancouver National Historic Reserve development costs.

For over half a century local, state and Federal Government agencies, along with numerous private individuals and organizations, have been collaborating to preserve

and interpret the history of the Vancouver area and the region. During the past 15 years in excess of $30 million has been invested in property improvements and projects within the present Historic Reserve boundaries. The Federal Government has provided approximately 25% of the capital funds for these efforts. The remaining 75% has been provided by local and state governments, foundations such as the locally based Vancouver National Historic Trust, and numerous other individuals, businesses and not-for-profit organizations. In fact, you will be hearing from two of these partners, Vancouver Mayor Royce Pollard and Bruce Hagensen, Board Member of the Vancouver National Historic Reserve Trust, later during this hearing.

Based on the Vancouver Barracks Adaptive Reuse and Economic Analysis completed in early 2000, it has been determined that the rehabilitation of buildings and the adaptations necessary for new uses in the west barracks will cost approximately $40 million. The city of Vancouver has committed $6 million for infrastructure improvements, the state of Washington has committed $6 million for educational uses, and private donations will make up an additional $8 million for building preservation efforts. A total Federal contribution of $20 million is being sought to match non-Federal funding for the west Barracks project. This Federal funding has been deemed key to successful private fund-raising efforts, securing tenants for the property, minimizing the impact of inflation and avoiding additional serious property deterioration.

I appreciate your careful consideration of this request for an increase in the authorization for the Fort Vancouver National Historic Reserve. I look forward to working with you, Mr. Chairman, and the other members of the Subcommittee to move this legislation forward and continue progress on this significant project for the Pacific Northwest and our nation.

Thank you, Mr. Chairman. I look forward to answering any questions that members of the Subcommittee may have.

Mr. RADANOVICH. Our next bill is H.R. 3917. Representative John Murtha was unavoidably detained and won't be here to make an opening statement or to testify; however, we do have his written testimony on hand, and I ask unanimous consent that Mr. Murtha's statement be included into the record. There being no objection—Mr. Otter, are you OK with that?

Mr. OTTER. Yes.

Mr. RADANOVICH. OK. So ordered.

[The prepared statement of Mr. Murtha follows:]

Statement of The Honorable John P. Murtha, a Representative in Congress from the State of Pennsylvania

I want to thank the Chairman, Ranking Member and the Subcommittee for holding this hearing on this extremely important bill.

By now we are all too familiar with the story of United Airlines Flight 93, which crashed on September 11, 2001 in Shanksville, Pennsylvania at 10:06 am after being hijacked by terrorists en route from Newark, New Jersey to San Francisco, California.

The people on Flight 93 were courageous and heroic in giving their lives to bring down that airplane before it could reach its intended target in our Nation's capital. Hundreds if not thousands of additional lives would have been lost, and our government would have been disrupted if this attack had been carried out as planned. I don't think anybody can argue with the fact that the crash site has national historical significance as the first site in America where citizens fought back against terrorism. As the bill says, the crash site is 'a profound symbol of American patriotism and spontaneous leadership of citizen-heroes.'

As we approach the one-year anniversary of that fateful, horrible day in our Nation's history, I am confident that we will pass this bill expeditiously to indicate our unwavering commitment to honoring these brave souls with a memorial site befitting their character.

The passage of this legislation will not set in stone any type of memorial plan, but rather a process for establishing a memorial site. The process of designing this National Monument must move forward, but it also must be careful and deliberate. All stakeholders need a voice in the process. That includes the family of passengers and crew, the local community surrounding the crash site, landowners at the site, the Commonwealth of Pennsylvania, emergency responders, historians and the

National Park Service, who will inherit the responsibility for not only assisting in the design, development and construction of the memorial but maintaining the memorial site in perpetuity.

As we envisioned the process, two groups will be involved:

The Flight 93 Task Force will be organized by local stakeholders and families of victims. It is my understanding that this organizational effort has begun and has been ongoing as the families of victims have been sorting out who will be primarily speaking for them. However, it will be given added momentum by the passage of this legislation. The Task Force will be as broad-based as possible among the affected parties and include as many people as possible to satisfy concerns regarding input. I think everyone agrees fully with this concept of including as much input as possible from the stakeholders to make sure all have a say and their concerns are addressed throughout the process.

The Task Force will recommend members whom the Secretary of Interior will appoint to a 15–Member Flight 93 Advisory Commission. This Commission will then undertake the formal process of developing the plan for the site. As with the Task Force, it is expected that the Commission will comprise the broadest and fairest possible representation of all stakeholders.

Nearly one million dollars have already been raised privately for this memorial, and we expect more donations as the process moves forward. However, I also look forward to working with my Colleagues in Congress to ensure that the project receives adequate Federal funding as needed.

I would like to thank each and every single person who has worked and will continue to work to make this memorial a reality.

Finally, I would also like to remember individually the people on that plane. They are the reason we are here today. They are:

Jason Dahl
LeRoy Homer, Jr.
Lorraine Bay
Sandra Bradshaw
Cee Cee Lyles
Wanda Green
Deborah Anne Jacobs Welsh
Christian Adams
Todd Beamer
Alan Beaven
Mark Bingham
Deora Bodley
Marion Britton
Thomas E. Burnett Jr.
Willam Cashman
Georgine Rose Corrigan
Patricia Cushing
Joseph DeLuca
Patrick "Joe" Driscoll
Edward Porter Felt
Jane Folger
Colleen L. Fraser
Andrew Garcia
Jeremy Glick
Lauren Grandcolas
Donald F. Greene
Linda Gronlund
Richard Guadagno
Toshiya Kuge
Hilda Marcin
Waleska Martinez
Nicole Miller
Louis J. Nacke II
Donald and Jean Peterson
Mark "Mickey" Rothenberg
Christine Snyder
John Talignani
Honor Elizabeth Wainio
Kristin Gould White

Thank you.

Mr. RADANOVICH. And with that, I want to thank you gentlemen. You are more than welcome to join us on the dais for the rest of the hearing.

And we will move on to panel two, which is Mr. Daniel Smith, special assistant to the Director of the National Park Service, and also Robert Anderson, the Deputy Assistant for Minerals, Realty, and Resource Protection of the BLM, to speak on these bills.

Gentlemen, welcome. We are going to turn the clock on you guys. It is a 5-minute clock. Give your testimony. And it is just like the

regular traffic rules: Green is go, yellow is speed up, and red is stop.

So, you may begin your testimony, Mr. Anderson. Welcome to the Committee; and let's go.

STATEMENT OF ROBERT ANDERSON, DEPUTY ASSISTANT FOR MINERALS, REALTY, AND RESOURCE PROTECTION, BUREAU OF LAND MANAGEMENT

Mr. ROBERT ANDERSON. Mr. Chairman, thank you for the opportunity to testify on H.R. 4874. This bill directs the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit and Twin Lakes in Idaho resulting from omission of such lands from an 1880 survey. The Department of Interior supports H.R. 4874.

Errors were recently discovered in the 1880 survey of the Spirit and Twin Lakes area. The original survey shows the meander lines along the lakes at up to 1/2 mile away from their actual location, in effect omitting about 600 acres of land from the official survey of record. Between 1891 and 1908, land surrounding the lakes was patented out of Federal ownership based on the belief that the 1880 survey was correct. A discovery of errors in the 1880 survey raises concerns about potential clouds on title to some 400 properties along these two lakes. Many property owners have a chain of title that goes back over 100 years. No one disputes that the current cloud on the title is due to errors of the 1880 survey.

The Bureau of Land Management has no interest in retaining the lands and believes it is in the public interest to remove the cloud on the many titles to the property. This is an unusual situation because it involves a large number of private homes and lands with lengthy chains of title. The 1880 surveyors were discovered by private and Kootenai County surveyors and brought to the attention of BLM in 2001.

The BLM believes that use of the normal Agency procedures for clearing lands, title to lands erroneously described in the 1880 survey would raise unnecessary concerns to affected residents and be costly and time-consuming to property owners and the United States.

H.R. 4874 would authorize BLM to investigate alleged errors in the 1880 survey; to resurvey the area to establish the official record of land and lakeshore areas; and, based on that resurvey, issue a disclaimer of interest that would divest the United States of any interest in the affected lands. The investigation and resurvey authorized by H.R. 4874 would allow the BLM to establish an official survey plat through which legal descriptions of real property could be referenced. This would remove the cloud on title to over 400 properties. The Department believes the establishment of an accurate survey plat is in the public interest, and therefore it is appropriate that the Federal Government rather than the individual landowners bear the costs of the resurvey.

The Department supports enactment of H.R. 4874, and would like to work with the Committee on a few technical changes to the legislation.

Mr. Chairman, this concludes my statement. Thank you.

Mr. RADANOVICH. Thank you very much, Mr. Anderson.

[The prepared statement of Mr. Robert Anderson follows:]

Statement of Robert Anderson, Deputy Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, U.S. Department of the Interior

Thank you for the opportunity to testify on H.R. 4874. This bill directs the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in Idaho resulting from the omission of such lands from an 1880 survey. The Department of the Interior supports H.R. 4874.

Errors were recently discovered in an 1880 survey of the Spirit Lake and Twin Lakes areas. The original survey shows the meander lines along the lakes at up to one-half mile away from their actual location, in effect omitting approximately 600 acres of land from the official survey of record. Between 1891 and 1908, land surrounding the lakes was patented out of Federal ownership based on the belief that the 1880 survey was correct. The discovery of the errors in the 1880 survey raises concerns about potential clouds on title to some 400 properties along these two lakes. Many property owners have a chain of title that goes back over 100 years. No one disputes that the current cloud on the title is due to the errors in the 1880 survey. The Bureau of Land Management (BLM) has no interest in retaining the lands erroneously omitted from the 1880 survey, and believes it is in the public interest to remove the clouds on title to the properties.

This is an unusual situation because it involves a large number of private homes and lands with lengthy chains of title. The 1880 survey errors were discovered by private and Kootenai County surveyors and brought to the attention of the BLM in 2001. The BLM believes that use of normal agency procedures for clearing title to the lands erroneously described in the 1880 survey would raise unnecessary concerns to affected residents and be costly and time consuming to property owners.

H.R. 4874 would authorize the BLM to investigate alleged errors in the 1880 survey, resurvey the area to establish the official record of land and lakeshore areas, and, based on that resurvey, issue a "disclaimer of interest" that would divest the United States of any interest in the affected lands. The investigation and resurvey authorized by H.R. 4874 would allow the BLM to establish an official survey plat to which legal descriptions of real property could be referenced. This would remove the cloud on title to over 400 properties resulting from the errors in the 1880 survey. The Department believes establishment of an accurate survey plat is in the public interest, and therefore it is appropriate that the Federal Government, rather than individual landowners, bear the cost of the resurvey.

The Department supports enactment of H.R. 4874, and would like to work with the Committee on some technical changes to the legislation. This concludes my statement. I would be pleased to answer any questions.

Mr. RADANOVICH. Mr. Smith, welcome to the Committee, here to speak on, I believe, two bills.

Mr. SMITH. Yes, Mr. Chairman. And I will summarize both and submit the entire testimony for the record.

Mr. RADANOVICH. Terrific.

STATEMENT OF P. DANIEL SMITH, SPECIAL ASSISTANT TO THE DIRECTOR, NATIONAL PARK SERVICE

Mr. SMITH. Mr. Chairman, thank you for the opportunity to appear before your Committee to present the views of the Department of the Interior on H.R. 3917, a bill to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital and for other purposes. The Department supports the enactment of this bill with minor amendments discussed at the end of this testimony.

On September 11, 2001, terrorists hijacked four United States passenger aircraft with the intent to kill American citizens and to use the planes as weapons to destroy important structures critical to this country. The targets were in New York City and Wash-

ington, D.C. Three out of four of the planes hit their mark, destroying the Twin Towers of the World Trade Center, destroying a significant portion of the Pentagon, causing the deaths of almost 3,000 people, and affecting millions of people worldwide.

But one hijacked plane did not succeed in its mission. Passengers and crew on the fourth plane, United Airlines Flight 93, learned of these disasters in midair and took heroic action—excuse me—by thwarting a planned attack on our Nation's Capital, which resulted in the crash of the plane into a field in Shanksville, Pennsylvania, within the rural, remote, and previously peaceful Stonycreek Township.

The passengers and crew of Flight 93 are remembered and honored as having given their lives to save others. They have inspired other airline passengers and crews to be significantly more vigilant and proactive in dealing with hijackers, and have directly influenced new airline security systems. Flight 93 will be understood to be nationally significant, because on Flight 93 America began to fight back.

The way people traditionally mourn victims of catastrophic events by visiting the site of the occurrence reflects an instinctive public choice of the appropriate location for a memorial. In the months that followed September 11th's attacks, thousands of people have visited the Flight 93 site, drawn by the heroic action and sacrifice of the Flight 93 passengers and crew. Many are profoundly concerned about the future disposition of the crash site, including grieving families of the passengers and crew, the people of the region who are the current stewards of the site, and a broad spectrum of citizens across the United States.

The Stonycreek Township and Shanksville have no resources to enable them to protect the site from inappropriate relic seekers or to serving the visiting public. Congress provided emergency appropriations to secure the site, but for only a short time. Establishing a permanent memorial would serve as a meaningful way to honor those who sacrificed their lives on September 11th, and would provide an opportunity to provide a respectful setting for family members and other visitors.

Like so many families in America, we continue to mourn the loss of a member of our Interior family, Richard Guadagno, a 17-year employee of the U.S. Fish and Wildlife Service and manager of the Humboldt Bay National Wildlife Refuge in California, who was among the heroic passengers of Flight 93. The Department offers our deepest sympathy to all those who lost a friend or family member because of the attacks on 9/11.

The National Park Service has had the opportunity to conduct reconnaissance and analysis of the site of the crash of Flight 93. Numerous National Park Service professional staff have visited the Flight 93 site over the past 10 months to understand the site and its changes over time and to meet with local people, including landowners, the local historical society volunteers, the mayor of Shanksville, county commissioners, rescue workers, and others to provide technical assistance and advice.

There is a critical need for the National Park Service to provide technical assistance to consult on the immediate needs of collection, storage, oral history, and archives. We learned from our role at the

Vietnam Veterans Memorial, there is a great need to permit the public to place mementos and express feelings. The Somerset County Historical Society has begun an archive and collection of such materials; the National Park Service should be available to provide whatever consultation or assistance is desired.

This legislation recognizes the need for a special process to determine how best to treat the site, whether as a preserved landscape, a designed memorial structure, or some other appropriate treatment. Most importantly, the legislation, with special sensitivity and insight, provides time for listening and time for allowing a consensus to build, with an appropriate role for the family members of the flight passengers and crew, for the public, the community, and for the Secretary of Interior. It is appropriate the crash sight of Flight 93 be designated a national memorial as a unit of the National Park System, and that it be done contemporaneously, and that the National Park Service participate in this public process.

The legislation suggests the commission will have the authority to raise funds. We believe many Americans will want to have an active part in the fundraising process and therefore recommend that the authorization for fundraising be explicit in the legislation.

We look forward to work with the Committee on this amendment and a couple of technical amendments needed to the bill.

[The prepared statement of Mr. Smith follows:]

Statement of P. Daniel Smith, Special Assistant to the Director, National Park Service, U.S. Department of the Interior

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 2099, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks.

The Department recognizes and appreciates the efforts of our partners to cooperatively administer the Vancouver National Historic Reserve. This is a partnership that has worked well, and we look forward to continuing our work with the City of Vancouver, State of Washington, and the Department of the Army to achieve the goals outline in the Cooperative Management Plan for the Reserve. However, in light of the Department's commitment to supporting the President's initiative to eliminate the deferred maintenance backlog in our parks, we cannot support diverting limited funds away from the Service's own needs. We believe that funds that are appropriated to the National Park Service are more appropriately directed to reducing the long list of necessary but deferred construction projects that have been identified in our national parks.

The Vancouver area of southwestern Washington was an important site of 19th-century social, economic, political, and military activity in the Pacific Northwest. In recognition of its historical significance, Congress in 1948 designated a portion of the area Fort Vancouver as a National Monument, and in 1961 Fort Vancouver became a National Historic Site. Over the next several decades, continuing efforts to preserve the area's other historic sites prompted Congress, in 1990, to pass legislation authorizing the creation of a Vancouver Historical Study Commission. Subsequently, the commission recommended the establishment of a reserve as the best management strategy for protection of the resources within the study area, and in 1996, Congress passed legislation that established the Vancouver National Historic Reserve. The Reserve itself is not a unit of the National Park System, although the Fort Vancouver National Historic Site component is part of the System.

The Reserve encompasses 366 acres along the Columbia River within the City of Vancouver, Washington, and includes a particularly rich collection of cultural resources, including Fort Vancouver National Historic Site, Officers Row, Vancouver Barracks, Pearson Air Museum and Air Field, portions of the Columbia River waterfront, and the Water Resources Education Center. In this nationally significant historic setting, the Reserve celebrates well over 200 years of history including the use of the area by Native Americans; the creation of the first multi-cultural village of

its kind in the Pacific; the Hudson Bay Company's Fort Vancouver, which was one of the largest such British enterprises; and the growth of the U.S. Army in the Pacific Northwest as reflected in the historic Officers Row and Vancouver Barracks.

The law that established the Reserve directed the preparation of a general management plan to be developed by a partnership comprised of the National Park Service, the Historic Preservation Office of the State of Washington, the Department of the Army, and the City of Vancouver, Washington. The plan, completed in early 2000 and approved by the Secretary of the Interior, envisions an active public/private partnership in managing the shared assets of the Reserve. The Reserve partners, while maintaining full authority and management responsibilities for their individual areas consistent with applicable laws, work cooperatively on all matters relating to the Reserve. Additional financial support comes from the privately based nonprofit Vancouver National Historic Reserve Trust. The cornerstones of the 15-year Cooperative Management Plan are preservation, education, and public use.

The plan, however, is not a budget document. While it identified estimated costs for recommended actions, it did not commit any of the agencies or other partners to specific funding requirements. Signature by the partners or the Secretaries did not commit the Department of Interior or Army to any funding requirements outside of agency budgets as approved by Congress.

The law that established the Reserve authorized the appropriation of $400,000 annually for operational costs, and a total of $5 million for development costs. These funds have been provided in the National Park Service budgets for fiscal years 1998 through 2002 in the construction and statutory aid accounts.

The Cooperative Management Plan for the Reserve provided a summary of development costs estimated at approximately $85 million (in 1998 dollars). The plan contemplates that the costs will be shared by the Federal Government, the state, the city, nonprofit groups and organizations, and private investors, corporations, and businesses. The Federal share could be allocated from the U.S. Army, the U.S. Army Reserve, the Department of Defense, or the Department of the Interior.

The Vancouver National Historic Reserve has benefitted greatly from the contributions made by our partners and other donors, who have already provided over $19 million for a wide variety of projects, and plan to provide approximately $20 million more for projects that have already been identified.

We would like to emphasize that we are committed to working with our partners in the Vancouver National Historic Reserve to find appropriate ways to meet the goals outlined in the Cooperative Management Plan. We encourage our partners in the Reserve to continue to seek funding and other solutions for the preservation and protection of its resources through grants and other programs administered by the Service, the Department, and other Federal agencies.

This concludes my testimony. I am glad to answer any questions that you or members of the Subcommittee may have.

Mr. SMITH. Mr. Chairman, the second bill is H.R. 2099, which would amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks.

The Department recognizes and appreciates the efforts of our partners to cooperatively administer the Vancouver National Historic Reserve. This is a partnership that has worked well, and we look forward to continuing our work with the city of Vancouver, State of Washington, and the Department of the Army to achieve the goals outlined in the cooperative management plan for the reserve. However, in light of the Department's commitment to supporting the President's initiative to eliminate the deferred maintenance backlog in our parks, we cannot support diverting limited funds away from the Service's own needs. We believe that the funds that are appropriated to the National Park Service are more appropriately directed to reducing the long list of necessary, but deferred construction projects that have been identified in our national parks.

Congress in 1948 designated a portion of the area, Fort Vancouver, as a national monument, and in 1961 Fort Vancouver became a national historic site. In 1996, Congress passed legislation that established the Vancouver National Historic Reserve. The reserve itself is not a unit of the National Park System, although the Fort Vancouver National Historic Site component is part of the System. The reserve encompasses 366 acres along the Columbia River within the city of Vancouver, Washington, and includes a particularly rich collection of cultural resources. The Fort Vancouver National Historic Site is approximately 208 of those acres.

The law that established the reserve directed the preparation of a general management plan to be developed by a partnership comprised of the National Park Service, the Historic Preservation Office of the State of Washington, the Department of the Army, the city of Vancouver, and others. The plan, completed in early 2000 and approved by the Secretary of the Interior, envisions an active public/private partnership in managing the shared assets of the reserve.

The plan, however, is not a budget document. While it defined—while it identified estimated costs for recommended actions, it did not commit any of the agencies or other partners to specific funding requirements. The law that established the reserve authorized the appropriation of 400,000 annually for operational costs and a total of 5 million for development costs. These funds have been provided to the National Park Service budgets for fiscal years 1998 through 2002 in the construction and statutory aid accounts.

The cooperative management plan for the reserve provided a summary of development costs estimated at approximately $85 million. The plan contemplates that the costs will be shared by the Federal Government, the State, the city, nonprofit groups, and organizations, and private investors, corporations, and visitors. The Federal share could be allocated from the U.S. Army, the U.S. Army Reserve, the Department of Defense, or the Department of the Interior.

We would like to emphasize that we are committed to working with our partners in the Vancouver National Historic Reserve to find appropriate ways to meet the goals outlined in the cooperative management plan. We encourage our partners in the reserve to continue to seek funding and other solutions for the preservation and protection of its resources through grants and other programs administered by the Service, the Department, and other Federal agencies.

Mr. Chairman, this concludes my testimony on the two bills, and I look forward to any questions you or members of the Committee may have.

Mr. RADANOVICH. Thank you, Mr. Smith.

[The prepared statement of Mr. Smith follows:]

Statement of P. Daniel Smith, Special Assistant to the Director, National Park Service, U.S. Department of the Interior

Mr. Chairman, thank you for the opportunity to appear before your Committee to present the views of the Department of the Interior on H.R. 3917, a bill to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's

Capital, and for other purposes. The Department supports the enactment of this bill with minor amendments discussed at the end of our testimony.

H.R. 3917 would do several things. It would establish a national memorial at the crash site to honor the passengers and crew of United Airlines Flight 93 of September 11, 2001; it would establish a Flight 93 Advisory Commission to assist with consideration and formulation of plans for a permanent memorial to the passengers and crew of Flight 93, including its nature, design and construction; and it would authorize the Secretary of the Interior to coordinate and facilitate the activities of the Flight 93 Advisory Commission, provide technical and financial assistance to a Flight 93 Task Force, and to administer a Flight 93 memorial as a unit of the National Park System.

On September 11, 2001, terrorists hijacked four United States passenger aircraft with the intent to kill American citizens and to use the planes as weapons to destroy important structures critical to this country. The targets were in New York City and Washington, D.C. Three out of four planes hit their mark destroying the Twin Towers of the World Trade Center, destroying a significant portion of the Pentagon, causing the deaths of almost 3,000 people, and affecting millions of people worldwide.

But one hijacked plane did not succeed in its mission. Passengers and crew on the fourth plane, United Airlines Flight 93, learned of these disasters in mid-air, and took heroic action by thwarting a planned attack on our Nation's Capital, which resulted in the crash of the plane into a field in Shanksville, Pennsylvania, within the rural, remote and previously peaceful Stonycreek Township. The passengers and crew of Flight 93 are remembered and honored as having given their lives to save others. They have inspired other airline passengers and crews to be significantly more vigilant and proactive in dealing with hijackers and have directly influenced new airline security systems. Flight 93 will be understood to be nationally significant because on Flight 93, America began to fight back.

The way people traditionally mourn victims of catastrophic events by visiting the site of the occurrence reflects an instinctive public choice of the appropriate location for a memorial. In the months that followed the September 11th attacks, thousands of people have visited the Flight 93 site, drawn by the heroic action and sacrifice of the Flight 93 passengers and crew. Many are profoundly concerned about the future disposition of the crash site, including grieving families of the passengers and crew, the people of the region who are the current stewards of the site, and a broad spectrum of citizens across the United States. Many of these people are forming a Flight 93 Task Force as a broad, grassroots, inclusive organization to provide a voice for all interested and concerned parties.

The Stonycreek Township and Shanksville have no resources to enable them to protect the site from inappropriate relic seekers, or to serve the visiting public. Congress provided emergency appropriations to secure the site, but for a short time only. Establishing a permanent memorial would serve as a meaningful way to honor those who sacrificed their lives on September 11th and would provide an appropriately respectful setting for family members and other visitors. As we testified earlier this year on another memorial bill, in the case of enormous national tragedies, we have found that commemoration seems most appropriate at the site of the tragedy itself. The Oklahoma City National Memorial would not have nearly the power it has if it had been constructed anywhere else but at the site of the Murrah Building. The memorial landscapes of Gettysburg and Antietam National Battlefields still haunt visitors who contemplate what occurred there nearly 150 years ago. Indeed, people from all over the world continue to be drawn to these hallowed grounds to reflect on the historical events that took place at these sites or to pay their respects to those who lost their lives there.

Like so many families in America, we continue to mourn the loss of a member of our Interior family. Richard Guadagno, 17-year employee of the U.S. Fish and Wildlife Service and manager of the Humboldt Bay National Wildlife Refuge in California, was among the heroic passengers on Flight 93. The Department offers our deepest sympathy to all those who lost a friend or family member because of the attacks on September 11th. We understand that the road to healing will be long, but we believe that through the strength and unity of this country, the spirit of America lives on.

Public Law 105–391, the National Parks Omnibus Management Act of 1998, requires congressional authorization of areas to be studied for potential new units of the National Park System. The law also designates the criteria to be followed by the National Park Service in determining whether to recommend an area as a unit of the National Park System. The National Park Service has had the opportunity to conduct a reconnaissance and analysis of the site of the crash of Flight 93. Numerous National Park Service professional staff have visited the Flight 93 site

over the past ten months to understand the site and its changes over time, to meet with local people including landowners, the local historical society, volunteers, the Mayor of Shanksville, County Commissioners, rescue workers, and others, to provide advice and technical assistance in the areas of site security and in the preservation and curation of artifacts left by visitors at the site, and to facilitate public meetings regarding the future of the site. We also brought to the site people directly involved with the creation of the Oklahoma City National Memorial to provide assistance to the local people and officials. Although this would not be considered a standard special resource study as required under the public law, these visits and meetings have provided information on the site's significance, ability of local and regional governments in managing the site on a long-term basis as a memorial site, and providing services to a large number of visitors on a long-term basis.

H.R. 3917 also departs from the normal process for creation of a unit of the National Park System because places that may be deemed historical in nature are typically not designated until the passage of a sufficient interval of time to allow for historical judgment. Yet, the events of September 11th are so clearly important to contemporary America that some kind of national recognition is appropriate now. In addition, there is a crucial need for National Park Service technical assistance to be available to consult on the immediate needs of collections, storage, oral history, and archives. We learned from our role at the Vietnam Veteran's Memorial there is a great need to permit the public to place mementos and express feelings. The Somerset County Historical Society has begun an archive and collection of such materials; the National Park Service should be available to provide whatever consultation or assistance is desired. During consideration of the appropriate treatment of the site, the families, the community, the public and the commission will likely need staff support for the public process and for design and planning.

This legislation recognizes the need for a special process to determine how best to treat the site, whether as a preserved landscape, a designed memorial structure, or some other appropriate treatment. Most importantly, the legislation, with special sensitivity and insight, provides time for listening and time to allow a consensus to develop, with an appropriate role for the family members of the flight and crew, for the public, the community, and the Secretary of the Interior.

While generally we have requested no new additions to the National Park System while we continue to focus our resources on caring for existing areas in the National Park System, there is little doubt that the events of September 11th were nationally significant and have had international implications. It is appropriate that the crash site of Flight 93 be designated as a national memorial, as a unit of the National Park System, that it be done contemporaneously, and that the National Park Service participate in a sensitive process with the public and the affected parties to recommend the appropriate treatment of the site. One family member of a passenger of Flight 93, at a press conference announcing the introduction of this legislation expressed a desire that the memorial be "a place of beauty." The National Park Service would like to support the families, the public, and the community while they develop their vision to achieve this goal.

The legislation suggests the commission will have the authority to raise funds. We believe many Americans will want to have an active part in the fundraising process, and therefore, recommend that the authorization for fundraising be explicit in the legislation. We look forward to working with the Committee on this amendment and a couple of technical amendments needed to the bill.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other Committee members might have.

Mr. RADANOVICH. Is there any questions from anybody on the panel?

Mr. Baird.

Mr. BAIRD. Mr. Smith, briefly. I fully understand the challenge the National Park Service faces with the backlog of maintenance and other projects, and I respect that and appreciate your comments in that regard.

What I find unique about the Vancouver Barracks and the historic reserve is that there is tremendous leveraging of the funds, and essentially you are getting buy one, get two free, or something of that sort. You are getting tremendous resource magnification of

the investments. Has the Park Service considered that factor in its deliberations?

Mr. SMITH. Congressman, it has. Part of our rationale is that with the 208 acres of the 366 actually being a unit of the System, that is about a million dollars a year, 14 FTE. So we have a tremendous presence there. And at this time we are aware there are certain appropriations that are moving through DOD because of your Active components of military that are there and that type of thing.

So, at this time I would have to say we do—I try to recognize that, that we do realize this is a very valuable partnership. But at this particular time right now, the Department, because of its other budget constraints, needs to step back and not be a participant at the level that this bill has asked us to participate in.

Mr. BAIRD. Just for the record, Mr. Chair, obviously I disagree with that conclusion and would note that I think that it—the other emphasis I would make is that there are relatively no other, that I know of, comparably important historical sites in this particular vicinity. Indeed, the first U.S. Army post in the Pacific Northwest was established there. There is—as you know for sure, there is a wonderful—young people can come visit a fort that was the first fort in the Pacific Northwest. This is where important treaties were signed. This is where basically the U.S. established its formal presence in the Pacific Northwest with a military presence. It is a tremendously rich history, and I hope we can foresee and make possible further expansion. This fort has been active in the military for years.

The other thing I think to emphasize that wasn't mentioned in the testimony: When the original $5 million authorization was established, there was a more constrained geographical area. The Army is making—is departing from what is called the west barracks part of this, which is an historical area of buildings which I understand are relatively unparalleled in terms of their era of construction, et cetera. And it is that addition of the new property which expands the need for additional authorization for this resource so that we can maintain it and keep it up to the standards that it warrants.

Mr. RADANOVICH. Thank you, Mr. Baird.

Mr. Otter?

Mr. OTTER. Thank you, Mr. Chairman.

Mr. Anderson, you are very familiar now with the Spirit Lake, Twin Lakes problem that we have got. Is this something that is unique for the BLM, for the Department of Interior?

Mr. ROBERT ANDERSON. No, sir, it isn't, although I don't know how many cases specifically we have on bidded lands. We had a couple of cases around Jackson Hole, Wyoming, for example, along the Snake River back in the 1970's and 1980's, which ended up in court with high litigation costs, and eventually ruled in favor of the landowners in terms of the land obtained from the government. But we—this is not a frequent occurrence.

Mr. OTTER. Thank you.

Thank you, Mr. Chairman.

Mr. RADANOVICH. Thank you, Mr. Otter.

Mr. Smith, I do have one question regarding H.R. 3917. Can you tell me how the National Park Service envisions working with the advisory council on the development of this memorial?

Mr. SMITH. Mr. Chairman, what we hope to do is to work as the legislation gives us direction to use the existing task force that is already existing for Flight 93, and, as the Secretary forms the commission, to take all of the advice that this existing task force provides. Among other things, that task force will actually recommend 14 members of what the commission that the Secretary will form will consist of.

We haven't done a study on this area, Mr. Chairman, but the Park Service has had literally probably more than a dozen individuals, professional staff, to the site, have talked to the local people, have talked to local government, the State government, and there is a tremendous feeling of coordination to move forward with input from the people directly affected by this, especially the families of those who were lost on this flight. And we perceive it being a very smooth transition from this task force into a commission to get an awful lot of consensus before we ever move forward to what will eventually be at this site.

Mr. RADANOVICH. Thank you.

Mr. Smith, there was a reconnaissance and analysis of this site done by National Park Service already? Am I—

Mr. SMITH. Yes, sir.

Mr. RADANOVICH. —saying that?

Mr. SMITH. On several visits, just because of the importance of this, we have actually had land acquisition people out there. We have had planners. They have brought staff who dealt directly with the Oklahoma City memorial who went through sort of the same very quick process—appropriate process, but nonetheless quick, a full understanding of what this rural area can and cannot do, working closely with the mayor. It really has been an outpouring of professional advice and consultation that has moved into a real awareness of what this local area is trying to accomplish. And in that regard, our people have gathered an awful lot of information that will help us move forward from the task force and into this commission that will eventually advise the Secretary on what should occur at this site.

Everyone is in agreement that what happened in this rural land in Pennsylvania needs to be commemorated, and we think we can build a consensus with all of these interested parties to accomplish this if Congress does enact it into law.

Mr. RADANOVICH. Thank you very much.

One other question regarding Mr. Baird's bill. Is the Vancouver National Historic Reserve, is it a unit of the National Park System?

Mr. SMITH. The actual Fort Vancouver, 208 of these 366 acres which are in the reserve is a national historic site and a unit of the Park System.

Mr. RADANOVICH. OK.

Mr. SMITH. So about 160 plus or minus are the actual reserve; the actual Fort Vancouver itself, national historic site, is a unit of the System.

Mr. RADANOVICH. And the reason for the jump in authorized spending from 5 to 20 million in 6 years is because of what?

Mr. SMITH. It is because of things located on the site, as the Congressman talked about, the barracks, which may or may not—I kind of have conflicting information on whether that will actually be used by Reserve components in the BRAC process. People are coming back to where they might not have been before, but to improve these very historic buildings on the national historic site, but then also other considerations the city has with its education portion and its actual riverfront.

Mr. RADANOVICH. I will yield to you in just a second, but one other question.

The cooperative management plan, is that an actual budget document of the National Park Service, or is this done by somebody else?

Mr. SMITH. It is a planning document, Congressman. It is not a budget document.

Mr. RADANOVICH. All right. Mr. Baird, I would be happy to yield.

Mr. BAIRD. Just to explain, if I may. Envision, if you will, a field in which sits an old stockade-style fort, which we are all familiar with the parapets and whatnot, lodge poles and things like that. Then up the hill from that, you have the barracks of the more modern military, which have now been vacated. But these are barracks that served from the World War II and before era. Further along there are barracks or what we call Officers Row, which were not barracks, but were the officers' buildings in a classic, almost colonial style, in which, for example, Ulysses S. Grant, Sheridan, McClellan, and General George C. Marshall resided. And also up the field a ways from the historic fort itself, you have Pearson Air Field in which the first transpolar flight, the Chkalov Russian flight, came overseas or over the North Pole.

So it is a very unique and integrated area in which you have a replica of the very first military fort originally established by Hudson's Bay Company, then occupied later on, on up through modern military times.

So that is what we see as unique. In fact, a slogan for the Historic Reserve has been One Place Across Time, where you can really follow the transition of the U.S. military presence in the Pacific Northwest from its earliest days up to modern times. And it is that which we are seeking to preserve in this additional authorization. And that is the more—the 20th century, the mid to 20th century barracks, which, frankly, are in some state of disrepair, and yet it is the responsibility of the reserve area to take care of.

Mr. RADANOVICH. Right. Thank you.

Any other questions of the panel?

Mr. Anderson, I want to thank you. Mr. Smith, thank you very much for coming to testify today.

Mr. RADANOVICH. We will go ahead and call up our third panel, which includes the Honorable Royce Pollard, who is the mayor of the city of Vancouver, Vancouver, Washington, here to speak on 2099; Mr. Bruce Hagensen, board member of the Vancouver National Historic Reserve Trust, Vancouver, Washington, again on H.R. 2099; Mrs. Pam Tokar-Ickes, Somerset County Commissioner, Somerset, Pennsylvania, to speak on H.R. 3917; Mrs. Betty Kemmerer, Flight 93 Family Organization representative from Budd Lake, New Jersey, on 3917; and Mr. Bruce Anderson, who is

a land surveyor at Kootenai County in Coeur d'Alene, Idaho, H.R. 4874.

Thank you very much for being here. I hope I didn't mispronounce anybody's name. You see this name? It gets mispronounced a lot.

We will go ahead and start. Everybody has 5 minutes to offer their testimony. We are going to go with everybody, and then open up the panel to questions from other members.

Mr. Pollard, welcome to the Committee, and please begin your testimony.

STATEMENT OF ROYCE POLLARD, MAYOR, CITY OF VANCOUVER, VANCOUVER, WASHINGTON

Mr. POLLARD. Thank you. Good afternoon, Mr. Chairman, and members of the Subcommittee. I am Royce Pollard, the mayor of America's Vancouver in Washington State. Thank you for this opportunity to testify on behalf of House Resolution 2099.

First off, for those who may not know about America's Vancouver, we are not located in Canada. We are the fourth largest city in the State of Washington and are located on the north bank of the Columbia River. I could go on about the many wonderful virtues of our city and community, but for today I will focus my discussion with you on the historic reserve.

Few places in America can match the layers of historic assets of the Vancouver National Historic Reserve. I believe the Vancouver National Historic Reserve will become one of our Nation's premier historic sites. The historic reserve played a significant role in the events that shaped the history of the West and the Pacific Northwest, from the Indian Nations that were long established by the time Lewis and Clark visited our shores and declared, and I quote, the only desirable situation for a settlement on the western side of the Rocky Mountains, unquote, to the Hudson's Bay Company and the fur and trade monopoly of the British Empire. It all happened here.

The 366-acre reserve is located right in the heart of our downtown core. It is comprised of Officers Row, the barracks, Pearson Air Field, and Fort Vancouver National Historic Site. Its southern boundary is the mighty Columbia River. The Hudson's Bay Company established its Western fur trade headquarters along the Columbia in the 1820's at Fort Vancouver and, as a result, greatly influenced the economic, political, and cultural developments in the Pacific Northwest. Fort Vancouver emerged as the most multicultural and diverse community in the West, with close to 1,000 people, made up of French Canadians, Hawaiians, Scots, and members of over 30 different American Indian tribes, calling the reserve home.

The historic area, and particularly Fort Vancouver, is now considered the premier historical archaeological site in the Pacific Northwest with a collection of 1.5 million artifacts used by researchers and visitors around the world.

The emergence of Vancouver Barracks as the first U.S. Army post in the Pacific Northwest in May of 1849 determined the boundaries of the United States, adding the territory that would become Idaho, Washington and Oregon. The barracks was the

headquarters for the Department of Columbia, and, as mentioned, many famous soldiers have lived and served there, including Captain Ulysses S. Grant, George McClellan, Philip Sheridan, General Oliver Otis Howard, and General George C. Marshall, the architect of victory in World War II and the Nobel Peace Prize recipient for the Marshall Plan.

From the 19th through the 21st centuries, this post continued a rich tradition of military service with soldiers serving in the Indian wars, the Philippine war, and both World Wars. Officers Row, which served as residential housing for many of the soldiers' and officers' families stationed at Vancouver Barracks, has been beautifully restored and rehabilitated and is one of our city's signature assets and is the oldest neighborhood in the Pacific Northwest. The Reserve is also home to the oldest, continuously operated air field in the country, Pearson Air Field.

As mentioned, in 1937, a Soviet aviator and his crew landed there at the end of history's first nonstop transpolar flight. They were welcomed to America by the commander of the barracks, General George C. Marshall.

As you can tell by my brief history, the historic reserve is of national and international significance and is an American gem. While I can tell you more about the reserve's historical significance than you would ever want to know, my main purpose is to urge you to support this increase in appropriations so we can preserve, maintain, and reuse this valuable piece of our 5nation's history.

Many things have changed and happened since 1996 when you passed legislation creating the four partnerships. The nonprofit Vancouver National Historic Reserve Trust was created and supports the reserve by bringing private resources into the partnership.

In the year 2000, the Army vacated the west barracks, and later that year former President Clinton signed the Defense Authorization Act which would allow the transfer of the barracks to the city of Vancouver. Our delegation, led by Congressman Baird, Norm Dicks, and Senators Murray and Cantwell, have pledged to secure additional authorizations for the reserve. We expect the Army to provide financial support as well. The Trust has pledged to raise 20 percent of needed funding to establish a permanent endowment for the reserve. We are asking the State of Washington to match the city's contribution of 15 percent. Federal funding will leverage local and State public funding and private contributions. Without adequate Federal funding, the city will not be in a financial situation to accept transfer of the west barracks from the Army. In that event, the Federal Government would remain responsible for maintaining and protecting the property in accordance with statutory historic preservation requirements.

Much needs to be done to restore and preserve the buildings of this site to achieve our community's vision of turning them into classrooms, museums, and interpretive spaces. The scope of this project is beyond our local resources, both public and private. Because of the national significance of this site, we feel that it is critical it be preserved and interpreted for future generations. We have a once-in-a-lifetime opportunity to connect millions of people to our Nation's heritage and its legacies of cultures, commerce, and

politics. Given the scope of this project, success will be realized only through the cooperative support and participation of all of our partners. We are presented with an opportunity to create a model public/private partnership. The city of Vancouver is absolutely committed to the success of this unique preservation initiative, and I urge your support for this resolution.

In summary, America's Vancouver is the birthplace of history in the Pacific Northwest. By working together in a true public/private partnership, we will create a historic destination of national and international significance that will attract millions of visitors, making you and our Nation proud of our partnership's efforts.

Thank you very much for this opportunity.

Mr. RADANOVICH. Thank you very much, Mr. Pollard.

[The prepared statement of Mr. Pollard follows:]

Statement of The Honorable Royce E. Pollard, Mayor, City of Vancouver, Washington

Good afternoon Mr. Chairman and members of the Subcommittee on National Parks, Recreation and Public Lands. My name is Royce Pollard, Mayor of Vancouver, Washington. Thank you for this opportunity to testify on behalf of House Resolution 2099, amending the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve.

First off, for those of you who may not know about Vancouver, we are the fourth largest city in the state of Washington and are located on the north bank of the Columbia River directly across from Portland, Oregon. I could go on about the many wonderful virtues about our city and community, but for today, I will focus my discussion with you on the Reserve.

Few places in our country can match the historic assets of the Vancouver National Historic Reserve. You all know about Colonial Williamsburg. Well, we think the Reserve can be the Williamsburg of the west. We know the Reserve has the potential to be as intriguing, as interesting and as much of a destination as Williamsburg is. We want the Reserve to be one of our nation's premiere historic sites.

The Historic Reserve played a significant role in the events that shaped the history of the west and the Pacific Northwest—from the Indian Nations that were long-established by the time Lewis and Clark visited our shores, to the fur and trade monopoly of the British Empire it all happened right here.

The Reserve, designated by Congress in 1996, has been recognized as the most historically significant site in the Pacific Northwest. The Historic Reserve's cultural resources encompass successive layers that reflect major themes in the nation's history pre-dating the arrival of Lewis and Clark through the mid–20th century. Highlights of this layered history include:

- Early Native American inhabitants of the area
- Lewis and Clark expedition in 1805 06
- Hudson's Bay Company headquarters operations at Fort Vancouver
- 150 years of U.S. Army history at Vancouver Barracks, the Northwest's military administrative headquarters beginning in 1849
- "Golden Era of Aviation" at Pearson Field 1920s–1930s, one of the U.S. Army's oldest airfields
- Officers Row (honoring such notables as Ulysses S. Grant, O.O. Howard, and George C. Marshall)
- Columbia River, one of the world's great waterways, an artery of commerce and productivity from the prehistoric era to the present

The 366-acre Reserve boasts a unique, urban location right in the heart of our downtown core. It is comprised of Officer's Row, Vancouver Barracks, Pearson Field and Fort Vancouver. Its southern border is the mighty Columbia River. As many of you know, the Columbia River has long enticed Native Americans, explorers, workers, traders, soldiers, and settlers to its shores. Indigenous peoples fished and settled along its banks and tributaries. The Hudson's Bay Company established its western fur trade headquarters along the Columbia at Fort Vancouver and, as a result, greatly influenced the economic, political, and cultural development of the Pacific Northwest. Fort Vancouver emerged as the most multi-cultural and diverse community in the west with close to a 1,000 people, made up of French–Canadians, Hawaiians, Scots, and members of over 30 different American Indian tribes, calling

the Reserve home. Thousands of American settlers emigrated over the Oregon Trail and arrived at Fort Vancouver in desperate need of supplies and assistance. The birth of what is today the Pacific Northwest was made possible by the generosity provided to these settlers by the villagers at Fort Vancouver.

Fort Vancouver is now considered the premiere historical archaeological site in the Pacific Northwest. Over 50 years of excavations have resulted in a collection of 1.5 million artifacts used by researchers and visitors from around the world.

Along with the settlement of these Oregon Trail pioneers, the emergence of Vancouver Barracks as the first U.S. Army post in the Pacific Northwest determined the boundaries of the United States, adding the territory that would become Idaho, Washington and Oregon.

The Barracks was the headquarters for the Department of the Columbia and many "famous" soldiers including Ulysses S. Grant, George McClellan, Philip Sheridan, O.O. Howard and George C. Marshall were stationed here at some point in their careers. From the 19th through the 21st centuries, this post continued a rich tradition of military service. Soldiers served in the Indian Wars, the Philippines, and both World Wars. In 1917, the U.S. Army operated the world's largest spruce mill on this site, providing lumber for the manufacture of biplanes during World War I.

Officer's Row, which served as residential housing for many of the soldiers, officers and families stationed at Vancouver Barracks has been beautifully restored and rehabilitated. Once described as "21 white elephants nose to tail", today, the stately tree-lined row is pointed to with pride as one of our city's signature assets.

Last, but not least, the Reserve is also home to the oldest continuously-operated airport in the county, Pearson Field. From 1923 to 1941, Pearson was home to the U.S. Army Air Service and many key events during the "Golden Age of Flight." One of its first commanders made the first non-stop transcontinental flight in 1923. In 1937, a Soviet aviator and crew landed there at the end of history's first non- stop, trans-polar flight.

As you can tell by my brief history lesson, the Reserve is a historic gem. Both Fort Vancouver and Officer's Row are listed on the National Register. Vancouver Barracks and Pearson Field are eligible for listing on the Register as well.

While I can tell you more about the Reserve's historical significance, my main purpose is to urge you to support this increase in appropriations so we can preserve, maintain, and reuse this valuable piece of our nation's history.

When Congress passed legislation establishing the Vancouver National Historic Reserve, the designation set forth a partnership among the four landowners in the Reserve the National Park Service, the City of Vancouver, the U.S. Army and the Washington State Office of Historic Preservation. The non-profit Vancouver National Historic Reserve Trust supports the Reserve by bringing private resources into the partnership.

Key Congressional Actions

Congressional involvement in the Reserve goes back to 1948.

- Fort Vancouver National Monument Establishment of Fort Vancouver National Monument in Vancouver, Washington; transfer of lands by War Assets Administration and Secretary of the Army to Secretary of the Interior authorized, (62 Stat. 532) June 19, 1948
- Fort Vancouver National Historic Site Fort Vancouver National Monument authorization to increase boundaries revised and monument re-designated as "Fort Vancouver National Historic Site," June 30, 1961 (75 Stat. 196)
- National Historic Preservation Act, 1966 Establishes a program for the preservation of historic properties throughout the Nation and, in section 106, identifies governmental obligations. 16 U.S.C. 470; P L 89–665 October 15, 1966 as amended through 1992 by P L 102–575.
- Vancouver Historical Study Commission Established the Vancouver Historical Study Commission for the purpose of evaluating resources in the area and determining the feasibility of creating a Vancouver National Historic Reserve, P L 101–523, November 5, 1990
- Vancouver National Historic Reserve Legislation establishing the Vancouver National Historic Reserve as defined in the Feasibility Study and Environmental Assessment, by the Vancouver Historical Study Commission, 1993. Required a General Management Plan to be completed no later than three years after the Act. This plan was to be developed by a Partnership team consisting of one representative from each of the following organizations: the National Park Service, Historic Preservation Office of the State of Washington, the Department of the Army and the city of Vancouver, P L 104–333, Sec. 502, November 12, 1996

- West Barracks Transfer Authority 2000 Legislation provides for transfer of the west Vancouver Barracks property to the city of Vancouver. Allows the Secretary of the Army to approve the transfer presently scheduled for mid 2002.

RATIONALE FOR FEDERAL FUNDING REQUEST

The request for $20 million of Federal funding to assist in the preservation and reuse of the Reserve is partially based on principle and partially based on the financial benefits derived from the public/private partnership proposed by the city of Vancouver and the Reserve Trust.

There are two fundamental principles underlying the funding request:

Principles

1. Historic Preservation. The U.S. Government has an obligation to assist in the preservation of one of the nations important historic sites first recognized by the designation of the Fort Vancouver National Monument in 1948. (renamed in 1961 as the Fort Vancouver National Historic Site) and the establishment of the Vancouver National Historic Reserve in 1996.

2. Conversion of Military Bases. The U.S. Government has an obligation to assist in the conversion of no longer needed military bases to non-military purposes.

Financial Benefits

1. Federal funding will leverage local and state public funding and private contributions. The Federal Government share is proposed at 37% of the total project cost. The Federal money would be used primarily to rehabilitate the buildings to a level of compliance with public safety codes and applicable Federal laws such as ADA. Some Federal money would also be used to preserve the important historical features of the site and buildings. (For example, use of "Save America's Treasures funds to preserve the Red Cross Convalescent House already designated as an America's Treasure.)

2. An early commitment of funding would enable the redevelopment to proceed at a more rapid pace resulting in substantial cost savings.

3. Without adequate Federal funding for the barracks project, the city would not be in a financial position to accept transfer of the west barracks. In this event, the Federal Government would remain responsible for maintaining and protecting the property in accordance with statutory historic preservation requirements. In addition, the Federal Government would likely be faced with rebuilding old deteriorated infrastructure in the near future.

REQUESTED CONGRESSIONAL ACTIONS

The City of Vancouver, its partners, and the Reserve Trust are grateful for the recent and ongoing efforts by our Congressional delegation in support of the Vancouver National Historic Reserve. Our Congressional delegation led by Congressmen Brian Baird and Norm Dicks and Senators Patty Murray and Maria Cantwell, have pledged to secure an additional authorization for the Reserve. We expect the U.S. Army to provide financial support as well.

FY 2003 request for the Reserve:

Pass legislation providing an additional multi-million dollar Federal "authorization" for capital projects at the Reserve. (The $5 million 'cap' for capital projects included in the 1996 legislation creating the Reserve. has now been exceeded; this year's Interior earmark was accompanied by a caveat that future appropriations for capital projects at the VNHR would require a lift of the lid). Senators Cantwell and Murray have introduced S 1649 and a companion measure H.R. 2099, has been introduced by Congressman Baird. Due to the specific language in this year's Interior Conference Committee report, passage of this legislation is critical.

The Trust has pledged to raise 20% of needed funding to establish a permanent endowment for the Reserve. We are asking the State of Washington to match the city's contribution of 15%.

CLOSING STATEMENT

Much needs to be done to restore and preserve the buildings on this site to make the community's visions of turning them into to the classrooms, museums, or interpretive space a reality. The scope of this project is beyond our local resources, both public and private. Because of the national significance of this site, we feel that it is critical it be preserved and interpreted for future generations. To accomplish this, assistance from the Federal Government is crucial. This is an amazing, once-in-a-lifetime opportunity to connect millions of people to our nation's heritage and its legacy of cultures, commerce and politics. Given the scope of this project, success will be realized only through the cooperative support and participation of all our

partners. We are presented with an opportunity to create a model public/private partnership. The City of Vancouver is committed to the success of this unique preservation initiative. I urge your support of this resolution.

Thank you for your consideration of this request. I would be happy to respond to any questions you may have.

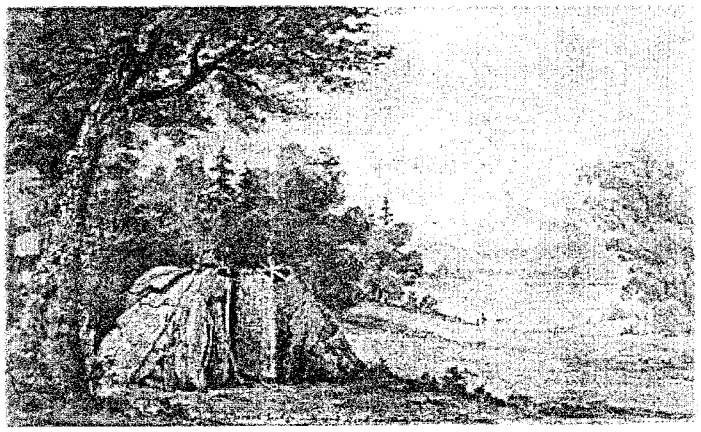
[Attachments to Mr. Pollard's statement follow:]

VANCOUVER NATIONAL HISTORIC RESERVE

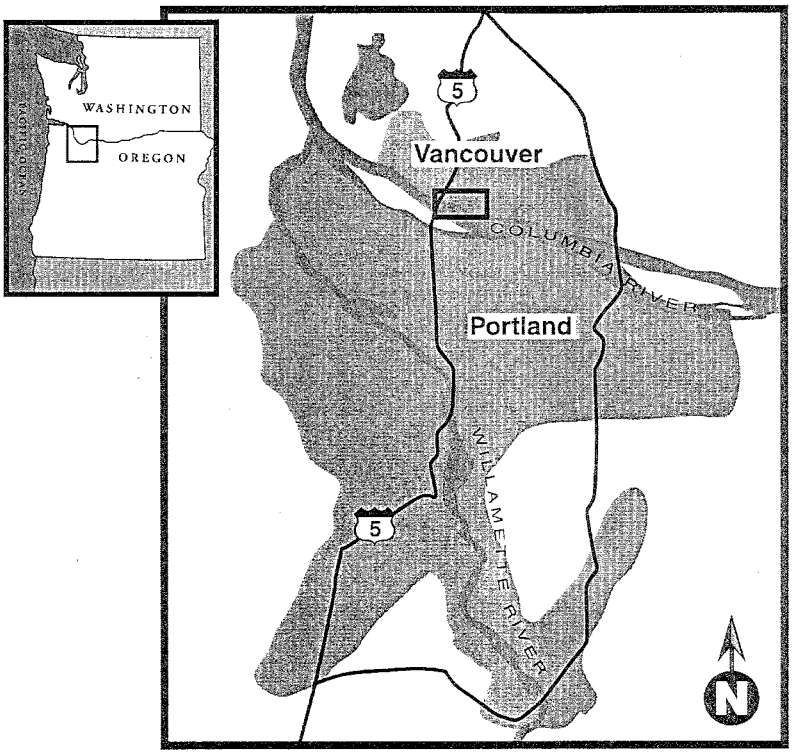
Historical Significance

The Vancouver National Historic Reserve (VNHR or Historic Reserve), designated by Congress in 1996, has been recognized as the most historically significant site in the Pacific Northwest. The Historic Reserve's cultural resources encompass successive layers that reflect major themes in the nation's history—pre-dating the arrival of Lewis and Clark through the mid-20th century. Highlights of this layered history include:

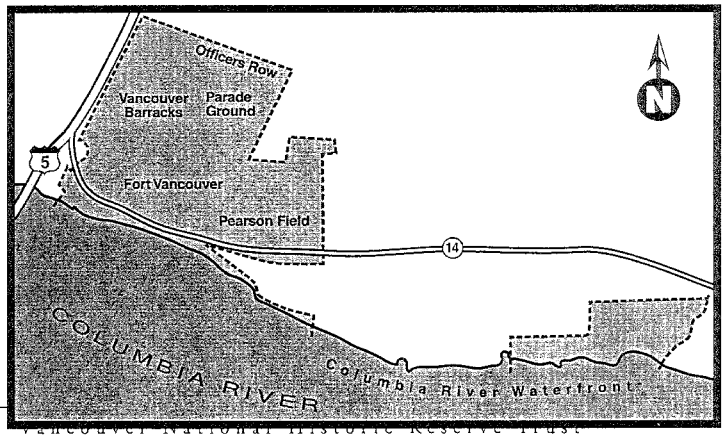
- Early Native American inhabitants of the area
- Lewis and Clark expedition in 1805–06
- Hudson's Bay Company headquarters operations at Fort Vancouver
- 150 years of U.S. Army history at Vancouver Barracks, the Northwest's military administrative headquarters beginning in 1849
- "Golden Era of Aviation" at Pearson Field 1920s-1930s, one of the U.S. Army's oldest airfields
- Officers Row (honoring such notables as Ulysses S. Grant, O.O. Howard, and George C. Marshall)
- Columbia River—one of the world's great waterways, an artery of commerce and productivity from the prehistoric era to the present



For more than 10,000 years, Native groups inhabited the open prairies along the Columbia at present-day Vancouver. Indians referred to this area as Sketcútxat or Katchutequa (the plain).



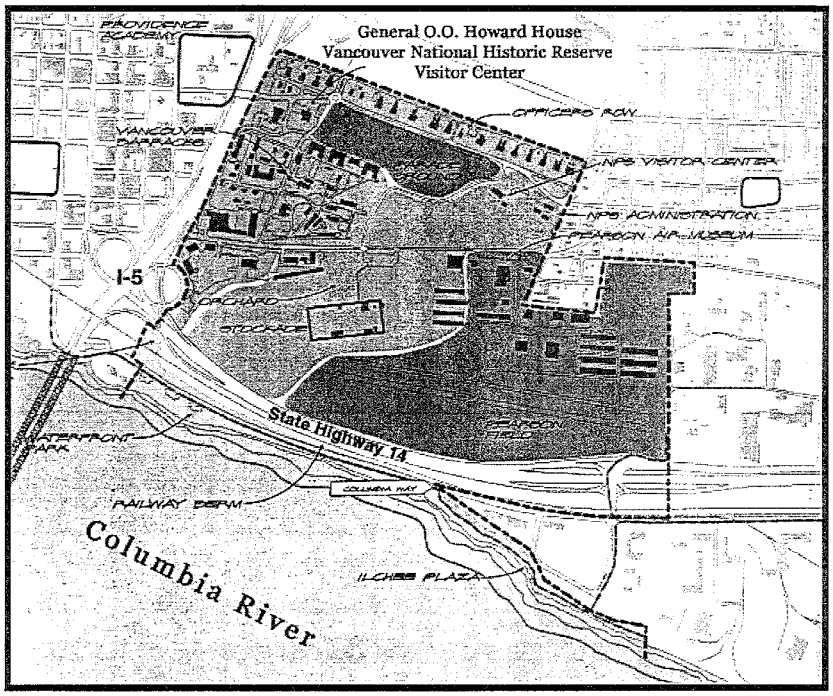
Vancouver National Historic Reserve



Vancouver National Historic Reserve Trust

Mayor Royce Pollard

Vancouver National Historic Reserve



Key Congressional Actions

- *Fort Vancouver National Monument*
  Establishment of Fort Vancouver National Monument in Vancouver, Washington; transfer of lands by War Assets Administration and Secretary of the Army to Secretary of the Interior authorized, (62 Stat. 532) June 19, 1948

- *Fort Vancouver National Historic Site*
  Fort Vancouver National Monument authorization to increase boundaries revised and monument re-designated as "Fort Vancouver National Historic Site," June 30, 1961 (75 Stat. 196)

- *National Historic Preservation Act, 1966*
  Establishes a program for the preservation of historic properties throughout the Nation and, in section 106, identifies governmental obligations. 16 U.S.C. 470; P L 89-665 October 15, 1966 as amended through 1992 by P L 102-575.

- *Vancouver Historical Study Commission*
  Established the Vancouver Historical Study Commission for the purpose of evaluating resources in the area and determining the feasibility of creating a Vancouver National Historic Reserve, P L 101-523, November 5, 1990

- *Vancouver National Historic Reserve*
  Legislation establishing the Vancouver National Historic Reserve as defined in the Feasibility Study and Environmental Assessment, by the Vancouver Historical Study Commission, 1993. Required a General Management Plan to be completed no later than three years after the Act. This plan was to be developed by a Partnership team consisting of one representative from each of the following organizations: the National Park Service, Historic Preservation Office of the State of Washington, the Department of the Army and the city of Vancouver, P L 104-333, Sec. 502, November 12, 1996

- *West Barracks Transfer Authority*
  2000 Legislation provides for transfer of the west Vancouver Barracks property to the city of Vancouver. Allows the Secretary of the Army to approve the transfer presently scheduled for mid 2002.

A Vision for the Future

The theme "Preserving The Past, Shaping The Future" guides the Vancouver National Historic Reserve partners' vision for the future. We continue to identify, preserve and adapt for the benefit of the public structures on the Historic Reserve. We provide opportunities for more that 500,000 annual regional, national, and international visitors to access the sites and educational programs that tell the stories of this "One Place across Time." The Historic Reserve offers opportunities for learning experiences preparing citizens for productive lives and leadership roles in society.

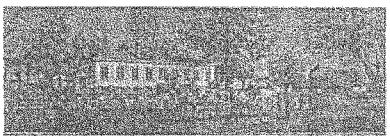
Vancouver Barracks Project: A Key Focus for the Future

At the present time, the City of Vancouver is proposing to proceed with a project to preserve and reuse the west area of the Vancouver Barracks, home to the U.S. military for over 150 continuous years. The Vancouver Barracks was the first U.S. Army post in the Pacific Northwest and served as the headquarters for the vast Department of the Columbia. Vancouver Barracks was a center for U.S. military operations in the region for the last half of the 19th century and into the 20th century. National mobilization efforts took place here, supplying lumber and ships for two world wars.

This project will be a major step toward achieving the goals of the Historic Reserve as established in the 1999 Cooperative Management Plan (CMP). Preserving and protecting these irreplaceable historic assets will bring new sustainable uses to this rare urban park, and at the same time, bring its past alive to current audiences. Historic places, building and furnished rooms bring history alive in a powerful way. The Interpretive Plan for the Historic Reserve specifies restoring and furnishing several rooms at Vancouver Barracks appropriate to the period of the Army's use.

It is further envisioned that the preservation and adaptation of the Vancouver Barracks will help establish the Vancouver National Historic Reserve as a premier visitor destination known for:

- the quality of the historic preservation work
- the high quality of the education programs
- as a memorial to the thousands of men and women who have served the nation during 150 years of military use, and
- as a successful example of public/private collaboration resulting in sustainable operations not dependent upon ongoing tax support.



Historical reenactments and other living history activities reveal the past and its significance to today's visitors, engaging audiences who might otherwise not participate.

Rationale for Federal Funding Request

The request for a continuation of federal funding for capital projects on the Historic Reserve including—but not limited to—assisting in the preservation and reuse of the Vancouver Barracks west area, is partially based on principle and partially based on the financial benefits derived from the public/private partnership proposed by the city of Vancouver and the Reserve Trust.

Principles

There are two fundamental principles underlying the funding request:

1. **Historic Preservation.** The U.S. Government has an obligation to assist in the preservation of one of the nations important historic sites first recognized by the designation of the Fort Vancouver National Monument in 1948. (renamed in 1961 as the Fort Vancouver National Historic Site) and the establishment of the Vancouver National Historic Reserve in 1996.
2. **Conversion of Military Bases.** The U.S. Government has an obligation to assist in the conversion of no longer needed military bases to non-military purposes.

Financial Benefits

1. **Leveraging Other Public and Private Funds.** Federal funding will leverage local and state public funding and private contributions. The federal government share is proposed at 37% of the total project cost. The federal money would be used primarily to rehabilitate the buildings to a level of compliance with public safety codes and applicable federal laws such as ADA. Some federal money would also be used to preserve the important historical features of the site and buildings. (For example, use of "Save America's Treasures funds to preserve the Red Cross Convalescent House already designated as an America's Treasure.)
2. **Cost Savings.** An early commitment of funding would enable the redevelopment to proceed at a more rapid pace resulting in substantial cost savings approaching 20%.
3. **Cost Avoidance:** Without adequate federal funding for the barracks project, the city would not be in a financial position to accept transfer of the west barracks. In this event, the federal government would remain responsible for maintaining and protecting the property in accordance with statutory historic preservation requirements. In addition, the federal government would likely be faced with rebuilding old deteriorated infrastructure in the near future.

Requested Congressional Actions (June 2002)

The City of Vancouver, its Reserve Partners, and the Reserve Trust are grateful for the recent and ongoing efforts by our Congressional delegation in support of the Vancouver National Historic Reserve, Their success in securing Interior funds of $1.9 million ($400,000 administrative support, $1.5 million for capital) in the current federal fiscal year will allow Phase One construction involving ten West Barracks buildings to begin later in 2002 ($2 million just approved by the State will also go towards this project).

Thanks to enactment of enabling legislation, the West Barracks, which was vacated in October 2000, will soon be transferred by the Army to the City. In addition, an earmark of $500,000 for Pearson Field will allow important runway, taxiway and security work to commence and the $1.5 million earmark in the Defense Authorization Act for FY 2000 has directly benefited buildings in both the East and West Barracks, including new windows in most of the West Barracks buildings.

FY 2003 request for VNHR:

1. **Pass legislation providing an additional multi-million dollar federal "authorization" for capital projects at the VNHR.** (The $5 million 'cap' for capital projects included in the 1996 legislation creating the VNHR. has now been exceeded; this year's Interior earmark was accompanied by a caveat that future appropriations for capital projects at the VNHR would require a lift of the lid). Senators Cantwell and Murray have introduced S 1649 and a companion measure HR 2099, has been introduced by Congressman Baird. Due to the specific language in this year's Interior Conference Committee report, passage of this legislation is critical.

2. **Provide another Interior earmark to ensure continuation of the $400,000 in annual administrative support for the VNHR and up to $2 million for capital projects.** The capital funds would be used primarily on the West Barracks.

3. **Convert $400,000 in statutory aid/ earmark support for Vancouver National Historic Reserve to part of the NPS base budget.**

4. **Support the request of the Fort Vancouver National Historic Site/ National Park Service for a "base increase" of $385,000.** FVNHS has been part of the NPS since 1948 and has gone at least 15 years without an increase in base funding, despite huge increases in visitation numbers.

5. **Bring the McLoughlin House National Historic Site in Oregon City, Oregon under the management of the FVNHS.** There is a strong historical connection between the Oregon and Washington sites. The Fort Vancouver site represents the early decades of Drs. McLoughlin and Barclay's presence in the region. The Oregon site interprets their later years. Federal legislation will be required to establish this management arrangement and Congresswoman Darlene Hooley has agreed to advance this legislation in the House.

6. **Transfer from the federal government to the City of Vancouver reversionary rights associated with the WSDOT building and lands within the VNHR.** All state and federal parties have agreed to this transfer and Congressman Baird has agreed to take the lead on this issue.

7. **Support 70th RSC/104th Division request for accelerated funding for their new training center to be built within the VNHR.**

Mr. RADANOVICH. Next is Ms. Pam Tokar-Ickes. And, Pam, I hope I have gotten your name right. Welcome to the Committee, And take your time to ready yourself.

Ms. TOKAR-ICKES. Thank you very much.

Mr. RADANOVICH. But when you are ready, please.

STATEMENT OF PAM TOKAR-ICKES, SOMERSET COUNTY COMMISSIONER, SOMERSET, PENNSYLVANIA

Ms. TOKAR-ICKES. It is close.

Good afternoon, Chairman Radanovich and esteemed members of the Subcommittee. I am Somerset County Commissioner Pamela Tokar-Ickes, and, on behalf of my colleagues James Marker and Brad Cober and the residents of Somerset County, I wish to express our strong support for House bill 3917 introduced by Congressman John Murtha as an appropriate and a fitting means to forever honor the legacy of the passengers and crew members of United Airlines Flight 93.

As I testify before you today, I can assure you that the events of September 11th have done nothing but strongly reinforce my personal belief that history is not the domain of academics; it belongs to us all, because we have not only been witness to a literal turning point in our Nation's history, every man, woman, and child who will have recall of those events profoundly experienced them. It may be recorded by scholars, but the history of September 11th is being written by us all. That date has entered our collective imagination as one of those moments you will never forget, one that for many has not been experienced since November 22nd, 1963.

I am 40 years old, and I can't tell you what I was doing when President Kennedy was shot because I was only 2, but I will never forget the blur of events during those fateful 2-1/2 hours on what began as a beautiful, crisp autumn morning that changed our Nation, our world, and Somerset County.

At about 10:10 a.m., with the knowledge of the planes hitting the World Trade Center towers and the Pentagon, the Somerset County Commissioners were preparing for our biweekly public meeting when we received a call from our emergency operations center. The exact words of our emergency management director were, "We have a report of a jetliner down in Buckstown. It's big. This is the real thing, guys." And I remember looking at my other commissioners, fellow commissioners, in stunned disbelief and saying to the speakerphone, "Our Buckstown?" the reply: "yes, Buckstown, Pennsylvania, and there are 400 on board."

From there we just responded, determining shortly thereafter that there were only several dozen people on board, but we would not know until much later in the day that the crash in that remote field was linked in any way to the events in New York City and Washington, D.C.; we just responded.

And then in the days to follow came the stories from family members, telephone operators, and emergency dispatchers about a series of phone calls that came from the individuals on that plane, and the eyewitness accounts of residents throughout western Pennsylvania who had noticed the low-flying and wavering jetliner in its final moments. And piece by piece the puzzle came together,

and we soon realized that the smoldering crater in an abandoned strip mine in Stonycreek Township marked more than the scarred earth of a plane crash. It cradled the remains of individuals who exemplified the highest of human ideals; and that, whether by fate or destiny, Somerset County, Pennsylvania, holds a unique place in American history linked forever to one of the most poignant and valiant acts in its pages.

We have become the caretaker of the story of these seemingly ordinary people who unknowingly, when they boarded United Airlines Flight 93 in Newark, New Jersey, on that beautiful day, were to become the Nation's first civilian soldiers to fight the first battle in what we now know as the war against international terrorism. What a huge responsibility we now shoulder for not only their survivors, but for the generations who will follow.

As the enormity and the reality of the events began to set into the Nation, the Office of the County Commissioners of Somerset County was inundated with calls and donations and letters from throughout the world imploring us to establish some type of a permanent memorial to the 40 passengers and crew members of Flight 93. And I will tell you, those calls began as early as September 12th, when most of the country—I would say most of the world—was simply trying to wrap its mind around what had happened. There were letters from Cub Scout groups who held car washes and children who emptied their piggy banks. One woman sent $300 she has earmarked for Christmas shopping at the request of her children. Another wrote that enclosed in her card was the very first check her 14-year-old daughter had ever written, and she signed it simply, "A proud mom." a senior citizen sent $2. "Not much," she said, "but from the heart." corporations called telling us that they were setting aside hundreds of thousands of dollars in endowment funds that would be available when we were ready. To date, more than $1 million has been committed, and that number reflects only unsolicited contributions with, I have no doubt, millions more available for the asking.

And then came the ideas, literally hundreds, scribbled on the backs of napkins and scraps of paper, intricate drawings that were carefully sketched by their creators after inspirational moments or dreams. Architectural firms commissioned professional designers and artists to produce their own renderings and offered their services free of charge.

What was most extraordinary, though, was what began to occur almost immediately near the impact site. Temporary memorials sprung up as close as people could get, even as the recovery efforts continued. They brought flowers and pictures and letters and quilts and patches and angels, even a flight attendant's uniform; but they did not come to see that crash site as voyeurs, they came on more of a pilgrimage seemingly drawn there by need to simply get close to the place where this event occurred. As the professional historians would soon tell us, it is a phenomenon referred to as the power of place, and they still come daily, sometimes by the hundreds, just to pay their respects and see firsthand how this story which belongs to us all began.

The items they bring now fill two entire rooms of the Somerset Historical Center, the home of the Historical and Genealogical Soci-

ety of Somerset County which has been appointed by the county to collect, catalog, and archive the artifacts that are being left behind, which, individually and collectively, have also become an important part of the historic record.

Last December, in response to the groundswell of support for the creation of a permanent memorial, a town meeting was held in Shanksville in which those who participated identified key stakeholder groups that must be represented on this soon-to-be-appointed Flight 93 task force. In addition to every family member that wishes to participate, they told us that the task force must include representatives of the community, emergency responders, educators, veterans, and historians.

In January, the Somerset County Commissioners formally requested that Congressman John Murtha introduce legislation that would create a national memorial to the passengers and crew members of United Airlines Flight 93 under the auspices of the National Park Service, the Nation's curator, to ensure its proper administration long after all who now remember are gone.

At a meeting in February, surviving family members representing 37 of the 40 individuals who perished on Flight 93 reached strong consensus that a permanent memorial should be constructed. The second question they were asked to answer is, where should the permanent memorial be sited? The location, they said, had been selected on September 11th when, after the fateful struggle in the skies over Pennsylvania, their loved ones reached their final resting place. As Jennifer Price, a young woman who lost both of her parents on that plane, so eloquently told those who gathered at the National Press Club last March when the legislation was publicly announced, "It is the place where we will go to say hello and good-bye."

House bill 3917, the Flight 93 National Memorial Act, will ensure that the crash site of Flight 93 is held in perpetuity with the dignity and the honor it deserves. The legislation provides a unique framework that will meld the grassroots input of the Flight 93 task force with the necessary support and oversight provided by the Federal Flight 93 Advisory Commission to make a national memorial a reality. And although the members of the advisory commission will be appointed by the Secretary of the Interior, the bill specifies that those appointments come from recommendations of the local Flight 93 task force, ensuring that the voices of the families and the community where this crash occurred remain central to the memorial process.

Although the story of Flight 93 is significant to our Nation's history, its importance in no way diminishes the sacrifice of those who died at the World Trade Center towers and the Pentagon, but what happened over the skies of western Pennsylvania was different. Forty individuals, our newest American patriots, who count among their ranks nationals from Japan, Puerto Rico, and Germany, fought to overtake the plane, and, in so doing, gave their lives to save countless others. It is their courage that flamed the fires of freedom in the shadow of September 11th and served to inspire a Nation that so desperately needed to find its way out of the darkness.

On behalf of the community that now cradles them as its own, the county in which they find their perpetual rest, the State to which their destiny was linked, and the country for which they died to defend, I respectfully ask the members of this Subcommittee and the Congress of the United States to honor these extraordinary individuals and their families so that their sacrifice will be remembered for generations to come. Thank you.

Mr. RADANOVICH. Thank you very much. I know it is tough to go back to the memories of that day; I think it is pretty tough for a lot of people.

[The prepared statement of Ms. Tokar-Ickes follows:]

Statement of Pamela Tokar–Ickes, Commissioner, Somerset County, Pennsylvania

Good afternoon Chairman Radanovich and esteemed members of the Subcommittee. I am Somerset County Commissioner Pamela Tokar–Ickes and on behalf of my colleagues James Marker and Brad Cober, and the residents of Somerset County, I wish to express our strong support for House Bill 3917, introduced by Congressman John Murtha, as an appropriate and fitting means to forever honor the legacy of the passengers and crew members of United Airlines Flight 93.

As I testify before you today, I can assure you that the events of September 11th have done nothing but strongly reinforce my personal belief that history is not the domain of academics, it belongs to us all. Because we have not only been witness to a literal turning point in our nation's history- every man, woman and child who will have recall of those events profoundly experienced them. It may be recorded by scholars, but the history of September 11th is being written by us all. That date has entered our collective imagination as one of those moments you will never forget, one that for many has not been experienced since November 22nd, 1963. I am forty years old, and I cannot tell you what I was doing when President Kennedy was shot because I was only two, but I will never forget the blur of events during those fateful two and half hours on what began as a beautiful, crisp autumn morning that changed our nation, our world, and Somerset County.

At about 10:10 a.m. with the knowledge of the planes hitting the World Trade Center Towers and the Pentagon, the Somerset County Commissioners were preparing for our bi-weekly public meeting, when we received a call from our emergency operations center. The exact words of our emergency management director were, "We have a report of a jetliner down in Buckstown. It's big. This is the real thing guys." I remember looking at the other Commissioners in stunned disbelief and saying to the speakerphone, "Our Buckstown?" The reply, "Yes, Buckstown, Pennsylvania. They think there are 400 on board."

From there, we just responded, determining shortly thereafter that there were only several dozen people on board. But we would not know until much later in the day that the crash in that remote field was linked in any way to the events in New York City and Washington, DC. We just responded.

And then, in the days to follow, came the stories from family members, telephone operators, and emergency dispatchers, about a series of phone calls that came from the individuals on that plane. And the eyewitness accounts of residents throughout Western Pennsylvania who had noticed the low flying and wavering jetliner in its final moments. Piece by piece the puzzle came together and we soon realized that the smoldering crater in an abandoned strip mine in Stonycreek Township, marked more that the scarred earth of a plane crash. It cradled the remains of individuals who exemplified the highest of human ideals. And that whether by fate or destiny, Somerset County, Pennsylvania holds a unique place in American history, linked forever to one of the most poignant and valiant acts in its pages.

We have become the caretakers of the story of these seemingly ordinary people who, unknowingly when they boarded United Airlines Flight 93 in Newark, New Jersey on that beautiful day, were to become the nation's first civilian soldiers, to fight the first battle in what we now know as the war against international terrorism. What a huge responsibility we now shoulder for not only their survivors, but for the generations who will follow.

As the enormity and reality of the events began to set into the nation, the Office of the Somerset County Commissioners was inundated with calls and donations and letters from throughout the world, imploring us to establish some type of permanent memorial to the 40 passengers and crewmembers of Flight 93. Those calls began as

early as September 12th, when most of the country, most of the world, was simply trying to wrap its mind around what had happened.

There were letters from Cub Scout groups who held car washes, and children who emptied their piggy banks. One woman sent three hundred dollars she had earmarked for Christmas shopping- at the request of her children. Another wrote that enclosed in her card was the first check her 14-year old daughter had ever written, and signed it simply, "A proud mom". A senior citizen sent two dollars, "not much," she said, but "from the heart". Corporations called telling us that they were setting aside hundreds of thousands of dollars in endowment funds that would be available when we were ready. To date, more than one million dollars has been committed. That number reflects the unsolicited contributions, with I have no doubt, millions more available for the asking.

And then came the ideas, literally hundreds. Scribbled on the backs of napkins and scraps of paper, intricate drawings that were carefully sketched by their creators after inspirational moments or dreams. Architectural firms who commissioned professional designers and artists to produce their own renderings and offered their services free of charge.

A man named Herbert from Guatemala, who called to tell me he was having a marble plaque designed and shipped at his own expense, and asked if I could guarantee that it would be used for the memorial. I told him that I could not, but I promised I would personally see it was sent to the site and kept until further decisions were made. I did not hear from Herbert again until two months ago when he called to tell me he didn't forget about his promise, he simply didn't like the first plaque and had it redone, this time in green marble with gold embossed lettering. A 70-pound crate arrived in my office later that week, and was, as promised, taken to the temporary memorial. Herbert called again to see if we liked the plaque and said simply "Thank you, I needed to hear that," when I told him it was beautiful, and then, he hung up.

What was most extraordinary though was what began to occur almost immediately near the impact site. Temporary memorials sprung up as close as people could get, even as recovery efforts continued. They brought flowers and pictures and letters, and quilts and patches and angels, even a flight attendants uniform. But they did not come to see the crash site as voyeurs; they came on more of a pilgrimage, seemingly drawn there by need. To simply get close to the place where this event occurred. As the professional historians would soon tell us, it is a phenomenon referred to as "the power of place." They still come daily, sometimes by the hundreds, just to pay their respects and see firsthand how this story, which belongs to us all, began.

The items they bring now fill two entire rooms at the Somerset Historical Center, the home of the Historical and Genealogical Society of Somerset County which has been appointed by the County to collect, catalog and archive the artifacts that are being left behind, which, individually and collectively, have become an important part of the historic record.

Last December, in response to the groundswell of support for the creation of a permanent memorial, a Town Meeting was held in Shanksville in which those who participated identified key stakeholder groups that must be represented on the soon to be appointed Flight 93 Memorial Task Force. In addition to every family member that wishes to participate, they told us the Task Force must include representatives of the community, emergency responders, educators, veterans, and historians.

In January, the Somerset County Commissioners formally requested that Congressman John Murtha introduce legislation that would create a national memorial to the passengers and crewmembers of United Airlines Flight 93 under the auspices of the National Park Service, the nation's curator, to ensure its proper administration long after all, who now remember, are gone.

At a meeting in February, surviving family members representing 37 of the 40 individuals who perished on Flight 93 reached strong consensus that a permanent memorial should be constructed. The location they said had been selected on September 11th, when, after the fateful struggle in the skies of Pennsylvania, their loved ones reached their final resting place. As Jennifer Price, a young woman who lost both of her parents on that plane so eloquently told those who gathered at the National Press Club last in March when the legislation was publicly announced, "It is the place where we will go to say hello and goodbye."

House Bill 3917, The Flight 93 National Memorial Act, will ensure that the crash site of Flight 93 is held in perpetuity with the dignity and honor it deserves. The legislation provides a unique framework that will meld the grassroots input of the Flight 93 Task Force with the necessary support and oversight provided by the Federal Flight 93 Advisory Commission to make a national memorial a reality. And although the members of the Advisory Commission will be appointed by the Sec-

retary of the Interior, the bill specifies that the appointments come from recommendations of the local Flight 93 Task Force, ensuring that the voices of the families, and the community this crash affected, remain central to the memorial process.

The crash of Flight 93 is significant to our nation's history, and its importance in no way diminishes the sacrifice of those who died at the World Trade Center Towers and the Pentagon. But what happened over the skies of Western Pennsylvania was different. These forty individuals, our newest American patriots who count among their ranks nationals from Japan, Puerto Rico and Germany, fought to overtake the plane, and in so doing, gave their lives to save countless others. It is their courage that flamed the fires of freedom in the shadow of September 11th, and served to inspire a nation that needed to find its way out of the darkness.

On behalf of the community that now cradles them as its own, the county in which they find their perpetual rest, the state to which their destiny was linked and the country for which they died to defend, I respectfully ask the members of this Subcommittee, and the Congress of the United States to honor these extraordinary individuals so that their sacrifice will be remembered for generations to come. Thank you.

Mr. RADANOVICH. Mrs. Kemmerer, I know it is toughest for you because I know you lost your mom on that flight. But welcome to the Committee, and I thank you for being here and representing the family organization of Flight 93. And your testimony will be very valuable to the establishment of this site, so please accept my thanks for being here, and you may begin.

STATEMENT OF ELIZABETH KEMMERER, FLIGHT 93 FAMILY ORGANIZATION REPRESENTATIVE, BUDD LAKE, NEW JERSEY

Ms. KEMMERER. Yes. My mother Hilda Marcin was a passenger on Flight 93. Mr. Chairman, Committee members, thank you for the opportunity to appear here today. Shanksville, Pennsylvania, where Flight 93 crashed, is the final resting place for the passengers and crew. The crash site is now a cemetery and should be treated with the utmost respect and compassion. Ninety-two percent of our families' remains were unidentifiable and remain at the site. The site, without proper care—sorry for my voice—

Mr. RADANOVICH. That is OK.

Ms. KEMMERER. —and maintenance has the potential of becoming a circus atmosphere where trinkets and trash will be sold. The meaning of the site and the people who died there fighting is much deeper than that.

The passengers and crew of Flight 93 have been referred to by the President of the United States as well as other prominent leaders as the first Americans to fight a battle on American soil since the Civil War. They were the first casualties on U.S. soil in the war against terrorism. I am sorry. As such, the site can be compared to battles such as Gettysburg and Antietam, both national parks.

The town of Shanksville is, quote, small-town America and thus not equipped to take on the burden, both financial and logistical, of maintaining a site where Americans can go to remember the heroics of 40 passengers and crew. The crash site should be a place to say a prayer, meditate or reflect on just what happened on September 11, a day that will be remembered as one of America's darkest.

The only way the site can be maintained properly for future generations is to have the National Park Service take over and maintain the site. The site is part of U.S. history for current and future

generations. The story of the crew and passengers of Flight 93 will be written in the U.S. history textbooks. To rely on Shanksville or on Somerset County and its future population to do so in a respectful and dignified manner is placing an undue burden on today's children and future generations.

If not the National Park Service, then who? Who can bear the responsibility—excuse me—of ensuring that the site is a place where Americans can go and feel that the Flight 93 passengers were properly recognized—I am sorry—for their selfless, heroic act. Forty lives were lost saving numerous others.

CBS News has reported on May 23, 2002, that the target of Flight 93 was the White House. What must be remembered and never forgotten is that beyond the mere plane crash, the people on that flight made sure that no others became victims of the terrorists. Our government should, in fact, be thankful to them for their heroism and make sure that this site is under U.S. Government care and funding.

Mr. RADANOVICH. Take your time, Ms. Kemmerer.

Ms. KEMMERER. I am sorry.

Mr. RADANOVICH. No. No. No problem.

Ms. KEMMERER. Remember, no one gave orders to the soldiers of Flight 93. They took it upon themselves to save others. They fought a battle at 35,000 feet in an aisle no wider than 3 feet. A proper memorial to their memory is the very least that can be done to appropriately remember these brave and valiant people. The National Park Service should be the ones to do it. It is the right thing to do. I am sorry.

Mr. RADANOVICH. Thank you so much.

Ms. KEMMERER. I read much better than that, believe me. It is the subject matter that hurts.

Mr. RADANOVICH. If it were up to me, it would be a historical site already. We have got a lot of procedures we have to go through, and you have helped contribute to that, so I want to thank you very much for—

Ms. KEMMERER. In addition I have also brought photos of the temporary memorial which the people in Shanksville and many, many thousands of visitors have brought contributions to the site, and if anyone would like to see them, they are there.

Mr. RADANOVICH. There being no objection, so ordered. Thank you very much.

Ms. KEMMERER. You are welcome.

[The prepared statement of Ms. Kemmerer follows:]

Statement of Elizabeth Kemmerer
(Daughter of Hilda Marcin, Deceased, Flight 93, 9/11/2001)

WHY THE NATIONAL PARK SERVICE?

Shanksville, PA, where Flight 93 crashed, is the final resting place for the passengers and crew. The crash site is now a cemetery and should be treated with the upmost respect and compassion. 92% of our families remains are were unidentifiable and remain at the site. The site, without proper care and maintenance, has the potential of becoming a circus atmosphere where trinkets and trash will be sold. The meaning of the site and the people who died there fighting is much deeper than that.

.The passengers and crew of United Flight 93 have been referred to by the President of the United States, as well as other prominent leaders, as the first Americans to fight a battle on American soil since the Civil War. They were the first casualties

on U.S. soil in the war against terrorism. As such, the site can be compared to battle sites such as Gettysburg and Antietam, both National Parks.

The town of Shanksville is "small town America" and thus not equipped to take on the burden, both financial and logistical, of maintaining a site where Americans can go to remember the heroics of the 40 passengers and crew. The crash site should be a place to say a prayer, meditate or reflect on just what happened on Sept. 11, 2001; a day that will be remembered as one of America's darkest.

The only way the site can be maintained properly for future generations is to have the NPS take over and maintain the site. This site is part of U.S. History for current and future generations. The story of the crew and passengers of Flight 93 will be written in the U.S. History text books. To rely on Shanksville and or Somerset County and its future population to do so in a respectful and dignified manner is placing an undue burden on today's children and future generations.

If not the NPS, then who? Who can bear the responsibility of insuring that the site is a place where Americans can go and feel that the Flight 93 passengers were properly recognized for their selfless heroic act? Forty lives were lost saving numerous others. CBS News has reported on May 23, 2002 that the target of Flight 93 was the White House. What must be remembered, and never forgotten, is that beyond a mere plane crash, the people on that flight made sure that no others became victims of the terrorists. Our government should be thankful to them for their heroism and make sure that this site is under U.S. Government care and funding.

Remember, no one gave orders to the soldiers of Flight 93. They took it upon themselves to save others. They fought a battle at 35,000 feet in an aisle no wider than three feet. A proper Memorial to their memory is the very least than can be done to appropriately remember these brave and valiant people. The NPS should be the ones to do it. It is the right thing to do.

Mr. RADANOVICH. All right. Next up is Mr. Bruce Hagensen, who is a board member of the Vancouver National Historic Reserve Trust of Vancouver, Washington, on H.R. 2099, and, Mr. Hagensen, you have got 5 minutes.

STATEMENT OF BRUCE HAGENSEN, BOARD MEMBER, VANCOUVER NATIONAL HISTORIC RESERVE TRUST, VANCOUVER, WASHINGTON

Mr. HAGENSEN. Thank you, Mr. Chairman. I appreciate the opportunity to be here today, and I want to thank Congressman Baird as well for his ongoing support of our efforts. Royce Pollard, our esteemed mayor, has used his oral and written testimony to provide you with the background for the Vancouver National Historic Reserve, which was designated by Congress through the National Preservation Act of 1996.

The historic reserve has been recognized as the most historically significant site in the Pacific Northwest. It is truly an American treasure. But I think more importantly, what I want to share with you today is that the Vancouver National Historic Reserve is also a rare example of partnerships that work.

For over a half a century, local, State and Federal Government agencies along with numerous private individuals and organizations have been collaborating to preserve and interpret the history of Vancouver and the region. However, in 1996, Vancouver National Historic Reserve designation established a true partnership among the landowners of the 366-acre historic reserve, and that partnership included the National Park Service, the city of Vancouver, the United States Army, and the Washington State Historic Preservation Office.

The Vancouver National Historic Reserve Trust is a nonprofit organization established in 1998 as an outgrowth of an earlier citizens' project to help support the historic reserve and to bring

private resources into the partnership. I would like to give you some examples of some of the successes that have been referenced earlier.

First, we have the Fort Vancouver National Historic Site, which is operated by the Park Service, and recently it has completed a new fur store and an archaeological collections facility. It has completed a new carpenter shop all in the efforts to recreate the ambiance of this Hudson's Bay holding. We have also restored landscape following the removal of more than 30 airline hangars that were surrounding that area. They have done cultural resource management, and they have also done numerous interpretive education programs including tours, exhibits and reenactments.

I would also like to reference Officers Row that was mentioned earlier by Congressman Baird and the mayor. Officers Row is a $10 million project. It was started in 1986 as the city strove to save 21 historic homes on Officers Row that had been let fall into disrepair by the General Services Administration. That project was successfully completed and is financially self-sustaining and is a nationally recognized example of a mixed use preservation project that has brought economic and public benefit to the community.

We have Pearson Air Field and the M.J. Murdock Aviation Museum. This is a $4.3 million project that was done with local funds. We have also rehabilitated the munitions and headquarters building. We have the Vancouver National Historic Reserve Center, which is a $2.8 million project at the General O.O. Howard house. We have renovated this beautiful house, and it is used as a visitors' center and administrative office. It is also the location of a nationally recognized museum exhibit called One Place Across Time, which the mayor referenced earlier, which is symbolic of how we are trying to interpret this site.

More importantly, I would like to share with you today some of the programs that have emanated out of these particular efforts. I think all of us appreciate the fact that we have responsibility to preserve our historic assets, but I think even more important is what do we do with those assets. How do we project those assets and make a learning experience for our young people?

I would like to relate to you our Celebrate Freedom programs started in 1991. We have one of the most significant Fourth of July celebrations west of the Mississippi. We also have Flag Days and Veterans Days events. We have the George C. Marshall Lecture, which we bring renowned people to honor the past and the service of General Marshall. Past lectures have included Senator Daniel Inouye in 2002, Tom Brokaw in 2000, Madeleine Albright was with us in 1998, and Colin Powell was with us in 1991. We also have the George C. Marshall leadership awards for emerging young adults in public service, and we also have the George C. Marshall youth leadership award.

We have completed projects along the Columbia River, trails and parks, historical markers and sculptures, and we also established about a $3 million project, which was the Water Resources Education Center. All this tells of a—that 5 went quickly. I apologize.

Mr. OTTER. [Presiding.] It does go very fast.

Mr. HAGENSEN. Let me just summarize, Mr. Chairman. You have some of the written documentation of what I have spoken about.

You also have a written documentation of the upcoming project, which is the west barracks.

I would just like to point out that, as mentioned before, when the Army pulled back from this historical post that left 322,000 square feet of buildings, we have to do something constructive with those buildings. We have a model of what can be done with Officers Row, and we look forward to maintaining that progress and that momentum with the help of this bill.

I thank you for the opportunity to appear before you today and will be happy to help answer any questions regarding the historic preserve.

Mr. OTTER. Thank you, Mr. Hagensen.

[The prepared statement of Mr. Hagensen follows:]

Statement of Bruce Hagensen, Board Member, Vancouver National Historic Reserve Trust

Chairman Radanovich, and Members of the Subcommittee of National Parks, Recreation, and Public Lands:

I am Bruce Hagensen, former Mayor of Vancouver and a member of the Vancouver National Historic Reserve Trust board of directors, here before you to testify on behalf of H.R. 2099, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve.

Royce Pollard, the esteemed Mayor of Vancouver Washington has used his oral and written testimony to provide you with the background of the Vancouver National Historic Reserve. Designated by Congress through the National Preservation Act of 1996, it has been recognized as the most historically significant site in the Pacific Northwest. It is truly an American treasure.

Partnerships that Work: A Record of Achievement

For over half a century local, state and Federal Government agencies, along with numerous private individuals and organizations, have been collaborating to preserve and interpret the history of the Vancouver area and the region.

The 1996 Vancouver National Historic Reserve (VNHR) designation established a partnership among the landowners in the 366-acre Historic Reserve the National Park Service, the city of Vancouver, the U.S. Army, and the Washington State Historic Preservation Office. The Vancouver National Historic Reserve Trust (VNHR Trust), a nonprofit organization, established in 1998 as an outgrowth of an earlier citizens project, helps support the Historic Reserve and brings private resources into the partnership.

The VNHR, in the heart of the city of Vancouver, Washington includes the following components:

- Fort Vancouver National Historic Site
- Vancouver Barracks and Officers Row
- Pearson Air Field
- Portions of the Columbia River Waterfront
- Kaiser Shipyards and Viewing Tower
- The Water Resources Education Center

This remarkable public/private partnership has benefited many of the entities within the Historic Reserve boundaries. During the past 15 years in excess of $30 million has been invested in property improvements and projects within the present Vancouver National Historic Reserve boundaries, mostly from non-Federal sources. The Federal Government has provided approximately 25% of the capital funds. The remaining 75% has been provided by local and state government, foundations such as the locally based M.J. Murdock Charitable Trust, and numerous other individuals, businesses and not-for -profit organizations. Immeasurable in-kind dollars have been provided as well by a legion of dedicated volunteers.

The following are a sample of remarkable Historic Reserve projects that have occurred:

Fort Vancouver National Historic Site

- Fur Store Reconstructed/Archaeological Collections Facility, 1993
- Carpenter Shop completed, 1998

- Construction of 1845 Counting House/Commander Thomas Baillie residence, 1999 ongoing
- Restored landscape following the removal of more than thirty hangers, 2000
- Jail, archaeology excavations and reconstruction, 2001
- Archaeology surveys, excavation, and research at Hudson s Bay Company cemetery, Company (Kanaka) Village, Parade Ground, Pearson Munitions and Headquarters buildings
- Cultural resource management
- Interpretive and Education programs, including tours, exhibits, and reenactments.

Officers Row

In 1986, the city of Vancouver saved 21 historic homes on Officers Row and accomplished a signature project for Vancouver. The Row is financially self-sustaining and is a nationally-recognized example of a mixed use preservation project that has brought economic and public benefit to the community.

Pearson Field and M.J. Murdock Aviation Museum

- Completion of M.J. Murdock Aviation Museum, largely with private funding, 1997
- The last series of non-historic hangars are being removed from National Park Service property, Spring 2002
- Full build out of new hangars away from Historic Reserve property, 2000
- Rehabilitation of the Munitions and Headquarters Buildings, 2001

Vancouver National Historic Reserve Visitor Center at the Gen. O.O. Howard House

- Renovation and reuse of historic post commander s quarters as VNHR Visitor Center and administrative offices, 1998
- A nationally recognized museum exhibit, One Place across Time: Vancouver National Historic Reserve, providing the visitor with a comprehensive overview of the Historic Reserve within national and international contexts, 1998
- Educational publications and programs include books, documentary videos, exhibits and school curricula

Celebrate Freedom Programs

- Fourth of July, Flag Day and Veterans Day Events
- George C. Marshall Lectures: Past lecturers include Daniel Inouye (2002), Tom Brokaw (2000), Madeline Albright (1998), and Colin Powell (1991).
- George C. Marshall Leadership Award for emerging young adults in public service
- George C. Marshall Youth Leadership Award recognizing public service in a high school student

Columbia River Waterfront Projects Trails and Parks

- Historical markers and sculptures
- Water Resources Education Center

Vancouver Barracks Preservation and Reuse Project

- Planning 1998 and continuing:
  - * Vancouver Barracks Physical History Study, 1998. Report and resource guide prepared by the National Park Service describing selected buildings.
  - * Vancouver Barracks Environmental Assessment, 1999. Report prepared by the U.S. Army analyzing current conditions at Vancouver Barracks.
  - * Vancouver Barracks Adaptive Reuse & Economic Analysis, 2000. A cooperative effort of the Reserve Partners and the Reserve Trust analyzed alternative property use scenarios and the cost of rehabilitation and adaptation for new uses of 16 West Barracks buildings.
  - * American Red Cross Convalescent House, constructed in 1919, has been designated as an Official Project of Save America s Treasures, with endorsement from the national president of American Red Cross.

An Outstanding Record of Achievement: A Vision for the Future

The theme "Preserving the Past, Shaping The Future" guides the Vancouver National Historic Reserve partners' vision for the future. We continue to identify, preserve and adapt for the benefit of the public structures on the Historic Reserve. We provide opportunities for more than 500,000 annual regional, national, and international visitors to access the site and educational programs that tell the stories of this "One Place across Time." The Historic Reserve offers opportunities for learning experiences preparing citizens for productive lives and leadership roles in society.

Vancouver Barracks Project: The VNHR Partnership in Action

At the present time the City of Vancouver is proposing to proceed with a project to preserve and reuse the west area of the Vancouver Barracks, home to the U.S. military for over 150 continuous years. The Vancouver Barracks was the first U.S. Army post in the Pacific Northwest and served as the headquarters for the vast Department of the Columbia. Vancouver Barracks was a center for U.S. military operations in the region for the last half of the 19th century and into the 20th century. National mobilization efforts took place here, supplying lumber and ships for two world wars.

This project will be a major step toward achieving the goals for the Historic Reserve as established in the 1999 Cooperative Management Plan (CMP). Preserving and protecting these irreplaceable historic assets will bring new sustainable uses to this rare urban park, and at the same time, bring its past alive to current audiences. Historic places, buildings and furnished rooms bring history alive in a powerful way. The Interpretive Plan for the Historic Reserve specifies restoring and furnishing several rooms at Vancouver Barracks appropriate to the period of the Army's use.

While specific uses for each of the seventeen buildings are in the process of being determined, it is intended that the property will be used for formal and informal educational programs for both residents of the area and visitors to the Historic Reserve. Educational planning work for Vancouver Barracks has involved the Partners, leaders from school districts, the local and national arts community, and nonprofit executives from regional cultural organizations. The Partners and Reserve Trust are currently facilitating dialog among organizations to develop collaborative and innovative educational programs. These discussions involve Washington State University, Clark College, Educational Services District 112, the National Park Service and the 104th Infantry Training Division of the U.S. Army Reserve.

However, the Vancouver Barracks site infrastructure is dangerously outdated and will need to be replaced as soon as possible. The buildings are deteriorating and need major work to comply with building safety codes that would be applicable to any new public use. The longer the barracks buildings remain unoccupied, the threat to the buildings by vandalism, potential water damage, fire, and further structural deterioration will increase, thereby increasing costs of restoration. Therefore, it is critically important that action be taken as quickly as possible.

Based on the Vancouver Barracks Adaptive Re-use & Economic Analysis completed in early 2000, it has been determined that the rehabilitation of buildings, and site, plus the adaptations necessary for new uses, will cost approximately $40,000,000 provided the work can be done in a four year time span.

The analysis clearly indicates that revenues, to be derived largely from space rental, would not be sufficient to finance this project with long-term debt. Consequently, it has been determined the full amount must be raised from public and private sources.

West Area Funding Proposal

The continued Federal appropriation monies for the Vancouver National Historic Reserve will be committed to this important project. The VNHR Trust has determined that Federal funding, sufficient to permit site work and building rehabilitation to begin in late 2002, must be obtained now to trigger initiation of the project. A total Federal contribution of $20 million (Fiscal Year 2003 2005) is needed to match non-Federal funding for the West Barracks project. This action is deemed key to successful private fundraising efforts, securing tenants for the property, minimizing the impact of inflation, and avoiding additional serious property deterioration.

The $20 million Federal commitment will be matched by non-Federal dollars, two to one.

Federal

Rehab/Preservation -- $20 million -- 37%

Non–Federal

City of Vancouver -- $6 million -- 11%
Infrastructure/Site (2001 2004)
State of Washington -- $6 million -- 11%
Adaptation for Educational Uses (2002 2005)
Private -- $8 million -- 15%*
Rehab/Preservation/Adaptation

Total Capital Investment -- $40 million

*Private -- 26%**

Program Investment -- $6 million
Endowment -- $8 million

Total Project -- $54 million -- 100%

*Total private support is 41%.

Please note that, in addition to the capital investment, the Vancouver National Historic Trust proposes to raise an additional $8,000,000 from private sources as an endowment to provide long-term financial security for the project and $6,000,000 for investment in educational programs to be located at the Vancouver Barracks.

The VNHR Trust is prepared to proceed with planning and preparations for private fundraising work while progress is being made to achieve the above requirements. However, private, city, and state money is contingent upon Federal support. The opportunity to transform Vancouver Barracks with a proportional mix of public and private investment cannot wait. Each year, the project becomes more expensive.

On behalf of the members of the Vancouver National Historic Reserve Trust, I want to reiterate to members of Congress our ongoing commitment to match or exceed Federal monies.

I refer you to a letter from the Reserve Trust's Chairman, Ed Lynch. Thank you for your consideration.

[Attachments to Mr. Hagensen's statement follow:]

VANCOUVER NATIONAL HISTORIC RESERVE TRUST

General O.O. Howard House • 750 Anderson Street • Vancouver, Washington 98661

Main: 360.992.1800
Fax: 360.992.1810

July 9, 2002

Representative George Radanovich, Chairman
Subcommittee of National Parks, Recreation
and Public Lands
U.S. House of Representatives
Committee on Resources
Washington, DC 20515

Dear Chairman Radanovich:

As Chair of the Vancouver National Historic Reserve Trust, the private partner in a unique public/private partnership involving the National Park Service, the U.S. Army, the State of Washington, the City of Vancouver, and the Reserve Trust, may I express our appreciation for the opportunity to have Bruce Hagensen, former Mayor of Vancouver and a member of the Reserve Trust Board, testify on behalf of H.R. 2099, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve.

The Vancouver National Historic Reserve, established by Congress in 1996, has been recognized as the most historically significant site in the Pacific Northwest. It is truly an American treasure. For over half a century local, state and federal agencies, along with numerous private individuals and organizations have been collaborating to preserve and interpret the history of the Vancouver area and the region.

During the past 15 years in excess of $30 million has been invested in property improvements and projects within the present Historic Reserve boundaries. The federal government has provided approximately 25% of the capital funds. The remaining 75% has been provided by local and state government, foundations such as the locally based M.J. Murdock Charitable Trust, and numerous individuals, businesses and not-for-profit organizations.

On behalf of the members of the Reserve Trust, I want to reiterate to members of Congress our ongoing commitment to match and exceed federal monies. Thank you for your consideration.

Sincerely,

Edward C. Lynch
Chairman

Ed Lynch, Chairman
Dick Pokornowski, Treasurer
Bob Schaefer, Secretary

Twyla Barnes
Bill Byrd, Sr.
Paul Christensen
Ward Cook
Walt Evans
Eric Fuller
Bruce Hagensen
Steve Horenstein
Deborah Johnson
Tom Koenninger
Vern Peterson
Mary Robinson
Joanna Wilson

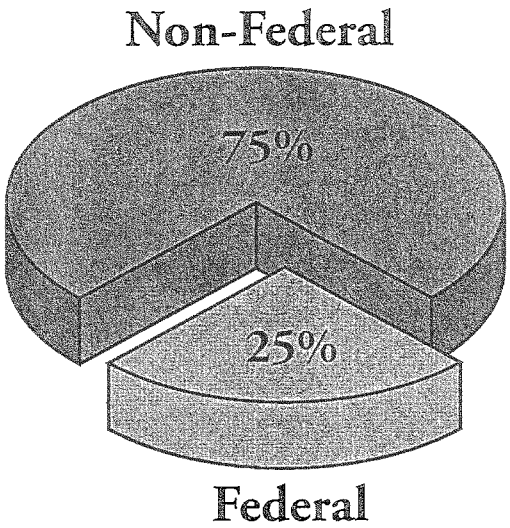
Judith Nichols, President

Ex-Officio Representation: City of Vancouver • State of Washington • U.S. Army • National Park Service

Partnerships that Work: A Record of Achievement

For over half a century local, state and federal government agencies, along with numerous private individuals and organizations, have been collaborating to preserve and interpret the history of the Vancouver area and the region.

This remarkable public/private partnership has benefitted many of the entities within the Historic Reserve boundaries. During the past 15 years, in excess of $30 million has been invested in property improvements and projects within the present Vancouver National Historic Reserve boundaries, mostly from non-federal sources. The federal government has provide approximately 25% of the capital funds. The remaining 75% has been provided by local and state government, foundations such as the locally based M.J. Murdock charitable Trust, and numerous other individuals, businesses and not-for-profit organizations. Immeasurable in-kind dollars have been provided as well by a legion of dedicated volunteers.



Since 1985, over $30m has been invested in the Historic Area, most from non-federal sources

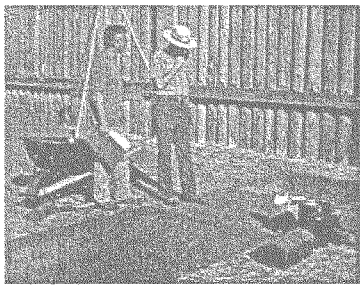
VANCOUVER NATIONAL HISTORIC RESERVE

Partnerships that Work: A Record of Achievement

Fort Vancouver National Historic Site

- Fur Store Reconstructed/ Archaeological Collections Facility, 1993
- Carpenter Shop completed, 1998
- Construction of 1845 Counting House/Commander Thomas Baillie residence, 1999–ongoing
- Restored landscape following hangar removal, 2000
- Jail, archaeology excavations and reconstruction, 2001
- Archaeology surveys, excavation, and research at Hudson's Bay Company cemetery, Company (Kanaka) Village, Parade Ground, Pearson Munitions and Headquarters buildings
- Cultural resource management
- Interpretive and Education programs, including tours, exhibits, and reenactments.

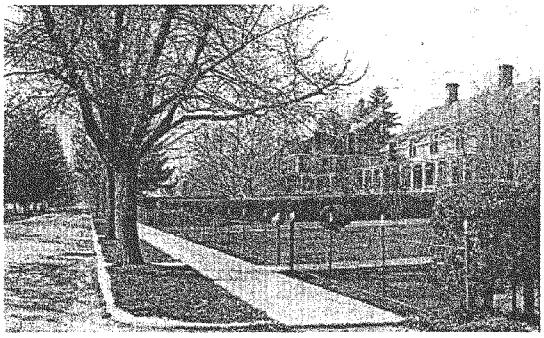
Archaeology at Fort Vancouver



In 1948, when Congress established a national monument recognizing Fort Vancouver, the main focus was to preserve the Hudson's Bay Company site and the archaeological materials underground. Today, more than 1.6 million artifacts have been recovered, making the collection the largest of recovered Hudson's Bay Company material in the world. Park Service staff and volunteers are in the process of digitizing the collections, a state-of-the-art method to make cultural resources available to a wider audience.

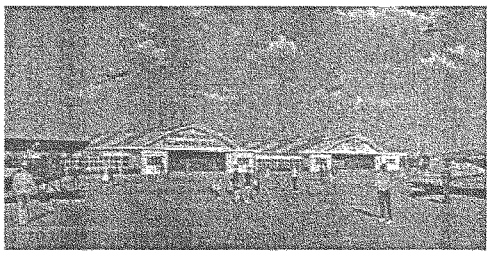
Officers Row

In 1986, the city of Vancouver saved 21 historic homes on Officers Row and accomplished a signature project for Vancouver. The Row is financially self-sustaining and is a nationally-recognized example of a mixed use preservation project that has brought economic and public benefit to the community.



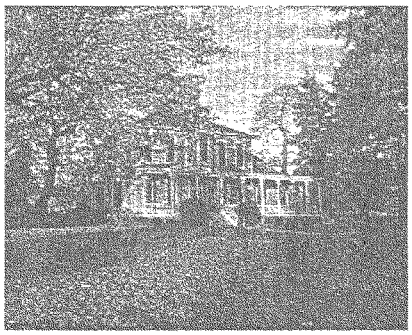
Vancouver National Historic Reserve Trust
Bruce Hagensen

Pearson Field and M.J. Murdock Aviation Museum



- Completion of M.J. Murdock Aviation Museum, largely with private funding, 1997
- The last series of non-historic hangars are being removed from National Park Service property, Spring 2002
- Full build out of new hangars away from Historic Reserve property, 2000
- Rehabilitation of the Munitions and Headquarters Buildings, 2001

Vancouver National Historic Reserve Visitor Center at the Gen. O.O. Howard House



- Renovation and reuse of historic post commander's quarters as VNHR Visitor Center and administrative offices, 1998
- A nationally recognized exhibit museum exhibition, *One Place across Time*: Vancouver National Historic Reserve, providing the visitor with a comprehensive overview of the Historic Reserve within national and international contexts, 1998
- Educational publications and programs include books, documentary videos, exhibits and school curricula

Celebrate Freedom Programs

- Fourth of July, Flag Day and Veterans Day Events
- George C. Marshall Lectures
  Recent lecturers include Senator Daniel Inouye, Tom Brokaw, Colin Powell and Madeleine Albright
- George C. Marshall Leadership Award
- George C. Marshall Youth Leadership Award

VANCOUVER NATIONAL HISTORIC RESERVE

Columbia River Waterfront Projects

- Trails and Parks
- Historical markers and sculptures
- Water Resources Education Center

Vancouver Barracks Preservation and Reuse Project

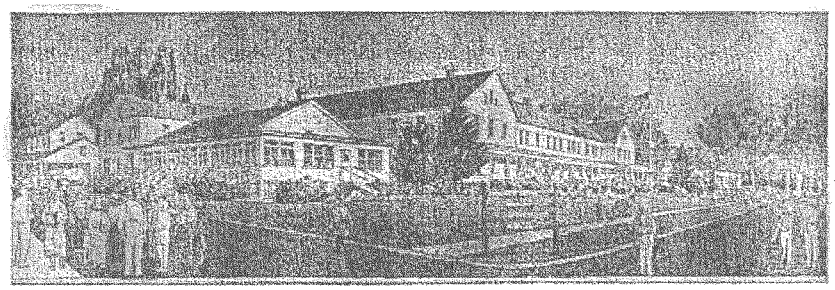
- Planning–1998 and continuing

  Vancouver Barracks Physical History Study, 1998. Report and resource guide prepared by the National Park Service describing selected buildings.

  Vancouver Barracks Environmental Assessment, 1999. Report prepared by the U.S. Army analyzing current conditions at Vancouver Barracks.

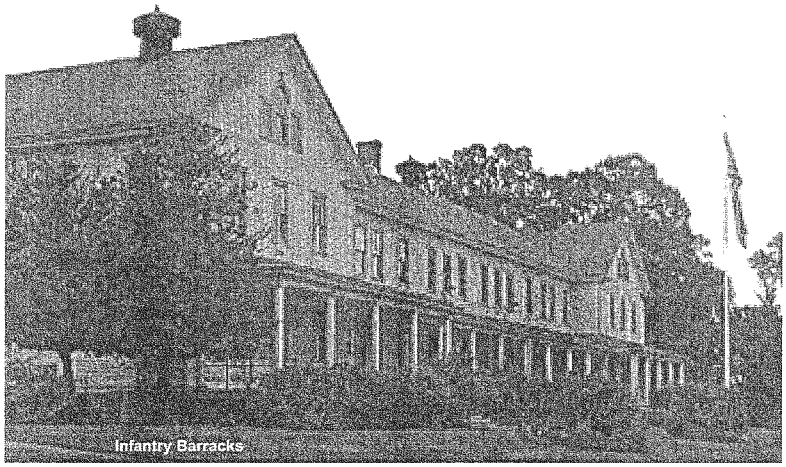
  Vancouver Barracks Adaptive Reuse & Economic Analysis, 2000. A cooperative effort of the Reserve Partners and the Reserve Trust analyzed alternative property use scenarios and the cost of rehabilitation and adaptation for new uses of 16 West Barracks buildings.

  American Red Cross Convalescent House, constructed in 1919, has been designated as an Official Project of Save America's Treasures, with endorsement from the national president of American Red Cross.

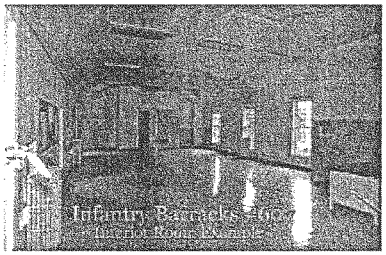


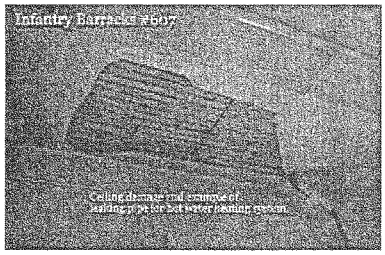
The project proposed for Vancouver Barracks will positively impact the region's economy and quality of life for decades to come. There are sixteen buildings–over 145,000 square feet of real estate–in the heart of a prime metropolitan location.

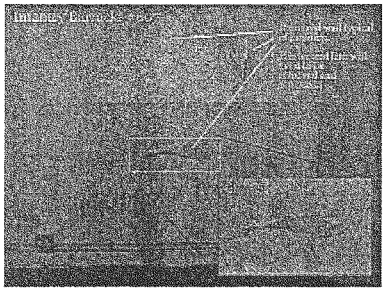
THE OPPORTUNITY TO TRANSFORM VANCOUVER BARRACKS CAN'T WAIT



The opportunity to transform Vancouver Barracks with a proportional mix of public and private investment cannot wait. Each year, the project becomes more expensive.







Preserving and protecting these irreplaceable historic assets will bring new sustainable uses to this rare urban park, and at the same time bring its past alive to current audiences.

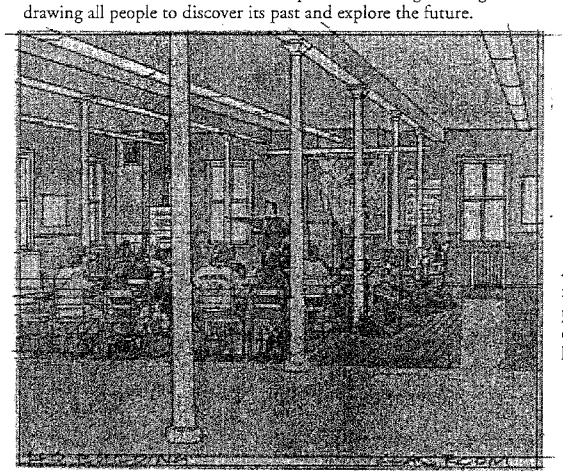
VANCOUVER BARRACKS PROJECT

Project Summary

At the present time the City of Vancouver is proposing to proceed with a project to preserve and reuse the west area of the Vancouver Barracks and the information in this notebook focuses on that endeavor.

This project will be a major step toward achieving the goals for the Historic Reserve as established in the 1999 Cooperative Management Plan (CMP). While specific uses for each building are in the process of being determined, it is intended that the property will be used for formal and informal educational programs for both residents of the area and visitors to the Historic Reserve. Educational planning work for Vancouver Barracks has involved the Partners, leaders from school districts, the local and national arts community, and nonprofit executives from regional cultural organizations. The Partners and Reserve Trust are currently facilitating dialog among organizations to develop collaborative and innovative educational programs. These discussions involve Washington State University, Clark College, Educational Services District 112, the National Park Service and the 104th Infantry Training Division of the U.S. Army Reserve.

Vancouver Barracks will be an active place for lifelong learning, drawing all people to discover its past and explore the future.



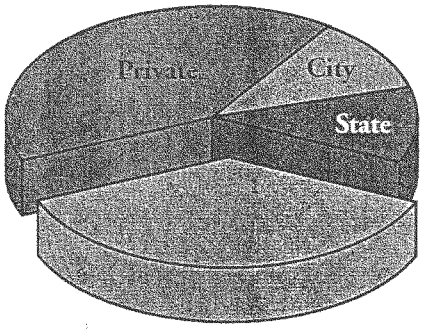
Adaptive use of Vancouver Barracks for shared classroom space will provide both formal and informal educational opportunities at this historic campus.

VANCOUVER BARRACKS PROJECT

West Area Funding Proposal

Federal		
Rehab/Preservation	**$20 million**	37%
Non-Federal		
City of Vancouver *Infrastructure/Site (2001–2004)*	$6 million	11%
State of Washington *Adaptation for Educational Uses (2002–2005)*	$6 million	11%
Private *Rehab/Preservation/Adaptation*	$8 million	
Total Capital Investment	**$40 million**	
Private		
Program Investment	$6 million	41%
Endowment	$8 million	
Total Project	**$54 million**	100%

Non-Federal 63%



Federal 37%

Mr. OTTER. I would remind yourself as well as the rest of the panel that it is the normal course for the Committee to unanimously accept your entire written testimony.

Mr. HAGENSEN. Thank you.

Mr. OTTER. So if you have—due to a desire for brevity have shortened that somewhat, your entire testimony will be as a matter of record.

Mr. HAGENSEN. I appreciate that, sir.

Mr. OTTER. Now speaking on House Resolution No. 4874 will be Mr. Bruce Anderson from Kootenai County, Idaho.

STATEMENT OF BRUCE ANDERSON, LAND SURVEYOR, KOOTENAI COUNTY, COEUR D'ALENE, IDAHO

Mr. BRUCE ANDERSON. Thank you, Mr. Chairman and members of the Subcommittee. This is a story that began 120 years ago. John B. David was a U.S. General Land Office surveyor under contract to survey a couple of townships in north Idaho preparatory to the sale and disposition of lands to the settlers under the Homestead Act. He was instructed to survey the section lines in a certain manner. Included in those instructions were instructions to survey any riparian boundaries, which would be lake boundaries, lake shores or rivers. We have the notes of Mr. David. We have the instructions of Mr.—what Mr. David was supposed to do. We have the notes of what Mr. David said he did, and now we have evidence of what Mr. David actually did on the ground.

The two lakes we are talking about are Spirit Lake, which in the old General Land Office's notes and plats show as Lake Tesemini, which is now known as Spirit Lake, and the other lake is Lower Twin Lake, which used to be called Fish Lake. Mr. David shows, according to the survey, that he would be—if we used his survey, the boundaries of the eastern portion of Spirit Lake would be between a quarter and a half a mile distant from the present shoreline and some 350 feet in elevation above the present shoreline of Spirit Lake.

On Lower Twin Lake it is more dramatic. He was between a quarter and a half a mile in distance from the present shoreline and over 1,000 feet in elevation above the present shoreline of Spirit Lake. Taking that into local perspective, that would be like saying that a surveyor of the Washington, D.C., area would say that the Tidal Basin is nearly two and a half times the height of the Washington Monument.

The purpose of my testimony is to introduce the exhibits. There are eight of them. Exhibit 1 shows pictorially the differences between the John B. David survey and the present shoreline. Exhibit 2 is the Lower Twin Lake differences between John B. David survey, based on Exhibit 2 and 3, which is the depiction of the original survey of the maps that were the basis—based upon Mr. David's notes. Exhibits 5 and 6 show comparisons of the original acreages as reported by the Federal Government and modern measurements taken from the Assessor's Office records as best available information.

In the Spirit Lake case, Mr. David shorted the settlers by as much as 40 to 50 percent, and in other cases he over—understated the acreage by as much as 120 percent. On the Twin Lakes situa-

tion, again, he understated acreage by as much as 87 to nearly wiping out the entire government lot. At the other extreme he underestimated the correct acreage from anywhere from 400 to 600 percent.

Being the county does not have the resources nor the legal authority to rectify the predicament that the current owners are in, it is incumbent upon the Federal Government to make good on the early survey that gave the settlers clear title patents to their property.

This House Resolution 4874 is very straightforward. It has two items. One is to accurately define the omitted lands, and two is claim any interest for the current landowners. In this manner people can live in peaceful harmony knowing that they have at least somewhat of a clear title to their ownership. Thank you.

Mr. OTTER. Thank you very much, Mr. Anderson.

[The prepared statement of Mr. Bruce Anderson follows:]

Statement of Bruce Anderson, L.S., Kootenai County Surveyor, Kootenai County, Idaho

Purpose

The purpose of this report is twofold: (a) to explain the history and technical aspects of the original survey, which created a significant area of omitted lands; and (b) to ask for your support in providing relief to the affected landowners abutting these two lakes. This bill is comprised of two proposed actions. Firstly, the omitted lands must be identified by an accurate survey. Secondly, action must be taken to relinquish any Federal interest in the omitted lands, according to said survey.

History

A. Spirit Lake

In September 1880, General Land Office contract surveyor, John B. David conducted a survey of the township containing the eastern portion of Spirit Lake.. His survey affects the east half of Spirit Lake. (See Exhibit 1). Exhibit 1 depicts the shoreline as surveyed by Mr. David, taken from his notes and the plat of the township. (See Exhibit 3). Referring to Exhibit 1, the erroneous survey places the shoreline of Spirit Lake between one-quarter and one-half of a mile distant from its present location. Also, his survey places the shoreline in excess of three-hundred feet in elevation above its present elevation in some locations. It is not possible that Spirit Lake ever existed at those locations within recent geologic history. His erroneous survey is contrasted with the Robinson and Dike survey of the western half of Spirit Lake in 1893. The Robinson and Dike survey conforms very well with the present shoreline of Spirit Lake, and is not an issue in this case.

B. Twin Lakes

A similar situation exists along the shore of Lower Twin Lake. John B. David also surveyed the township containing the easterly one-half of Twin Lakes, referred to now as Lower Twin Lake also in 1880. (See Exhibit 2). Mr. David's survey places the shoreline of Lower Twin Lake between one-quarter and one-half of a mile distant from its present location. In addition, his survey places the shoreline nearly one-thousand feet in elevation above its present elevation in some locations. This Exhibit is a compilation of the notes and plat by Mr. David. (See Exhibit 4). As with his survey of Spirit Lake, it is not possible that Lower Twin Lake ever existed per the location as surveyed by Mr. David. The westerly portion of Twin Lakes, known as Upper Twin Lake, was meandered by Robinson and Dike in 1893. Their survey conforms well with the present position of the existing shoreline, and is not an issue in this case.

Applicable Sections of the Manual of Surveying Instructions, 1973 relating to omitted land.

Erroneously Omitted Areas

7–77. Lands exposed by changes in water level or accreted subsequent to survey are not erroneously omitted lands. This title is applied to lands, not shown on the plat of the original survey, which were excluded from the survey by some gross dis-

crepancy in the location of a meander line. The unsurveyed land typically lies between the actual bank of a lake, stream, or tidewater and the record meander line.

7–78. In some older surveys temporarily flooded lands, or swamp and overflowed lands, were meandered as if they were permanent bodies of water. In a few cases, meander lines were reported where no body of water ever existed in fact. In still other instances, several lakes have been surveyed as one lake. All are treated in the same manner as those where the discrepancy is a grossly erroneous position of the record meander line. The converse is sometimes found where the record meander line leaves the bank and extends into the body of water. A water area may thus be shown as land.

7–79. Marginal discrepancies between the meander lines and the water at the time of survey fall into two classes, those that are merely technical differences and those that constitute erroneous omission. The guide lines for determining the class of a particular case are laid down in court and departmental decisions.

7–80. If land is to be regarded as erroneously omitted from survey, it must first be shown affirmatively that the area was land in place at the date of the original subdivision of the township. Then, if the land is similar to the surveyed lands, the usual inference that the official survey was correct may be set aside, and the conclusion may be substituted that the land should have been covered by that survey. However, a convincing showing is needed that the representations of the original plat and field notes are grossly in error.

7–81. Applications for the extension of the subdivisional lines to include the areas erroneously omitted from the original survey may be initiated either by settlers on the omitted land or by the owners of the adjoining land. The owner of the surveyed land, or a claimant who has purchased from him, may apply for the survey as a preliminary to quieting the title. There may or may not be adverse claims. The immediate question is the merit of the application under the acts of Congress which grant relief in these cases. A field examination is nearly always required to verify the conditions alleged in the applications. It is objectionable in principle to amend a plat unless large and unwarranted discrepancies can be shown.

7–82. The survey of erroneously omitted lands may also be undertaken as an administrative responsibility for identifying public lands. Such cases may be brought to the attention of the Bureau by a Federal agency having administrative authority over the general area.

7–83. No proof is required to show the whys and wherefores of an erroneous meander line, but only that the line as run and as represented on the plat and in the field notes is in effect grossly in error. The rule is concisely stated in John McClennen, 29 L.D. 514 (1900): It is not necessary to search for the source of the error. The result is the same whether such error arose from mistake, inadvertence, incompetency or fraud on the part of the men who made the former survey.

7–84. Where lands have been determined to be erroneously omitted from the original survey, the original meander line is made a fixed and limiting boundary segregating the previously surveyed areas from the unsurveyed public lands. The line is reestablished and marked with permanent monuments at the old angle points. Retracement between successive meander corners nearly always will show differences from the record in latitude and departure. The positions of the angle points are adjusted by the broken boundary method described in section 5–43 under "Angle Points of Nonriparian Meander Lines." The angle points are given serial numbers which do not duplicate numbers that may have been previously assigned in that section. The monuments are marked as shown in section 4–45.

From the above citations, it is evident that these two surveys involve omitted lands. The standard used in the determination of omitted lands is the "fifty percent rule." When the area is more than fifty percent larger than that reported by the original survey, omitted land exists. Exhibits 5 and 6 are comparisons between the area reported by John B. David survey, and best available data obtained from Assessor's Office records and maps, U.S.G.S. topographic maps, and ortho-photographic maps.

The differences are significant, without rhyme or reason. For example, Exhibit 5, the differences on Spirit Lake range from forty-five percent smaller than reported, to over one-hundred twenty percent in excess of that reported. Exhibit 6, the differences on Lower Twin Lake are even more dramatic. They range from a shortage of over eighty percent to an excess of six-hundred percent.

Implications and Problems

The situation of fraudulent surveys cannot be dealt with by the individual land owner abutting these two lakes. They, through their predecessors, purchased, in good faith, based upon their belief of an accurate survey from the General Land Office. All land lying within the area of omitted land on both lakes are claimed by

private interests. Each claimant within the omitted area has a cloud on their title, that is now public knowledge. A cloud of title may preclude a claimant from obtaining financing, or refinancing, and may even prevent the sale of property without a clear disclaimer of interest in the property by the Federal Government. Without such action, a claimant or prospective purchasers does not know that a possibility exists, that the Federal Government may at any such time lay claim to a portion or all of the omitted land. It is beyond the scope of power available to Kootenai County to resolve the survey and legal issues, even if it had the monetary resources.

On Spirit Lake, there are over one-hundred seventy (170) parcels of land affected, lying within or partly within the area of omitted land. (See Exhibit 7). These parcels contain nearly four-hundred acres (400), with an assessed value in excess of nineteen million dollars ($19,000,000), per Kootenai County Assessor's office figures. The parcels range in size, from one-hundred forty-six (146)parcels containing less than one acre, to one parcel containing more than one-hundred sixty acres (160). There are thirty-six (36)parcels ranging is size, from one to six acres, with three parcels in the ten to thirty-five (35) acre range.

On Lower Twin Lake, there are over four-hundred eighty (480) parcels of land affected, lying within the area of omitted land, claimed by individuals, families, partnerships or corporations. (See Exhibit 8). These parcels comprise approximately eight-hundred acres (800), with an assessed value in excess of forty million dollars ($40,000,000). The average value per parcel is approximately eighty-six thousand dollars ($86,000). The parcel size ranges from four-hundred fifty (450)parcels containing less than one acre, to one parcel containing three-hundred forty (340) acres. There are another thirty (30) parcels ranging from one to fifty (50) acres.

The acreage and assessed values contain many variances, due to site specific data. Some parcels fall partly or entirely within the omitted lands, with the area calculated on the entire parcel. Appraised value varies, depending upon whether it is lake front or upland property, and whether the parcel is bare land or has improvements.

Kootenai County, as a governmental unit, gains little benefit from this legislation. The County claims title to eighteen parcels of land through dedicated rights-of-way, providing public access to both lakes. Of these public access sites, one is developed and lies in the omitted land category. Three other sites lie in the omitted land category, but are not developed.

Kootenai County is the collective voice for our constituents, and we believe it to be in the best interest of our constituents to have peaceful occupation of their lands, by having the title quieted to them. We ask Congress to support this resolution, and to pass it as written.

[Attachments to Mr. Anderson's statement follow:]

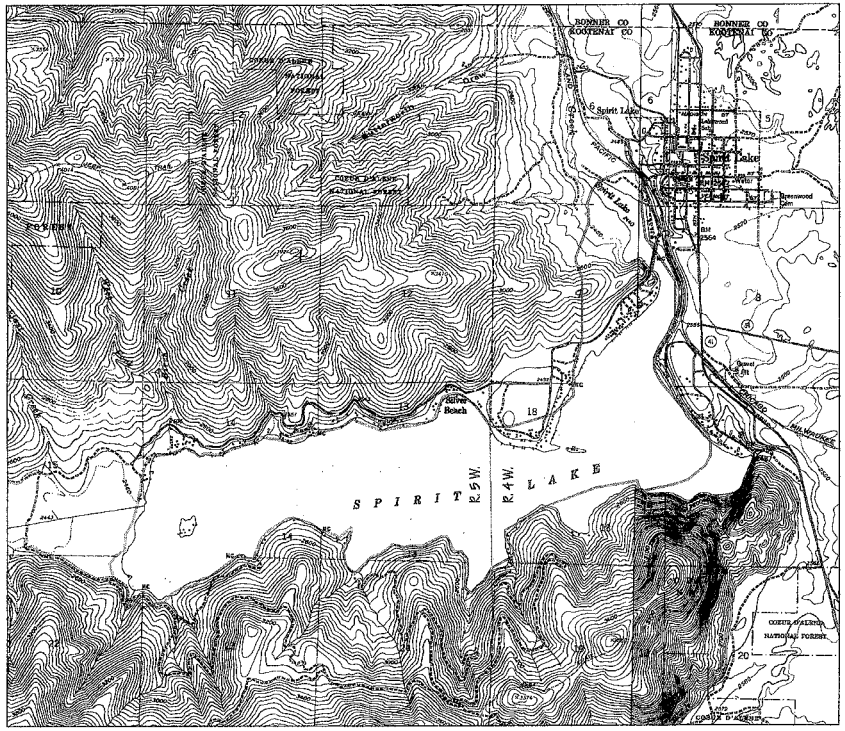


EXHIBIT I

T.53N.,R.4 & 5 W.,B.M.
Spirit Lake, Idaho

Meanders as surveyed by
John B. David, U.S.D.S.
1880

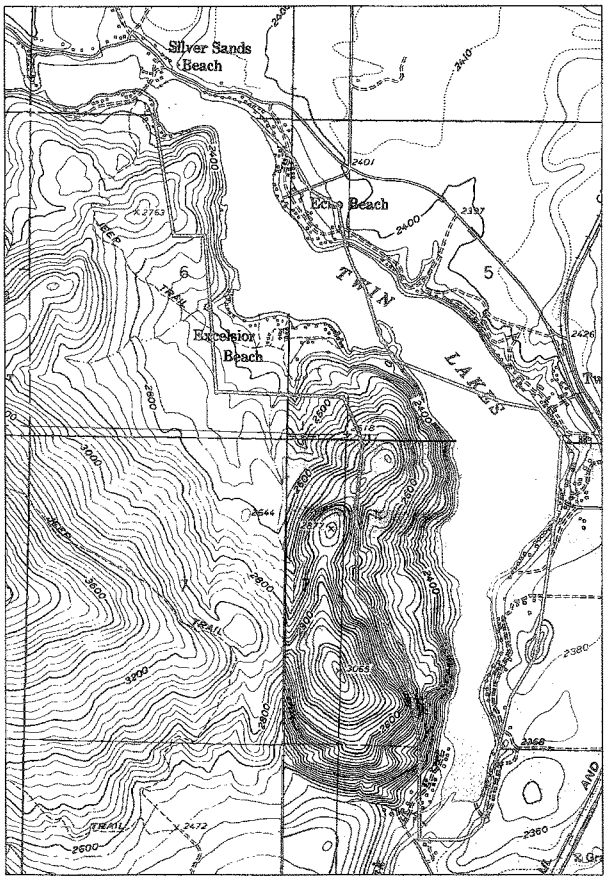
Meanders as surveyed by
Robinson & Dike, U.S.D.S.
1893

0 1/2 Mile 1 Mile
SCALE

Compiled by:
Bruce Anderson, L.S.
Kootenai County Surveyor
June 28, 2002

EXHIBIT 2

T.52 &53N.,R.4 W.,B.M.
Lower Twin Lake, Idaho



Meanders as surveyed by John B. David, U.S.D.S. 1880

0 1/2 Mile 1 Mile
SCALE

Compiled by:
Bruce Anderson, L.S.
Kootenai County Surveyor
June 28, 2002

EXHIBIT 3

T.53N.R.4W., B.M.
General Land Office Plat

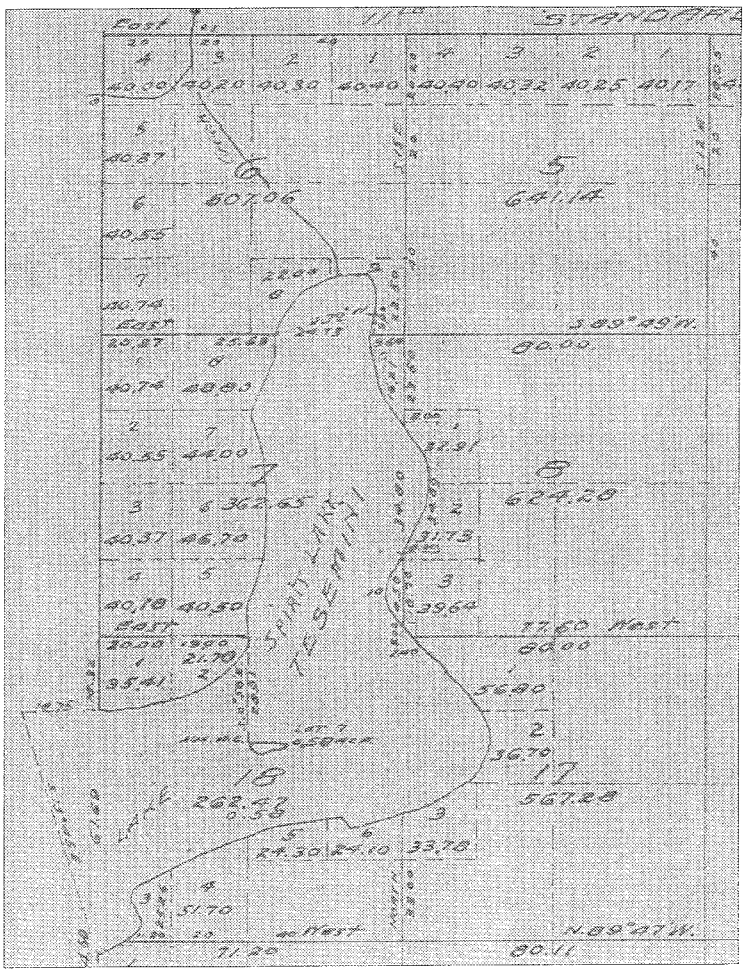


EXHIBIT 4

T.52N.R.4W., B.M.
General Land Office Plat

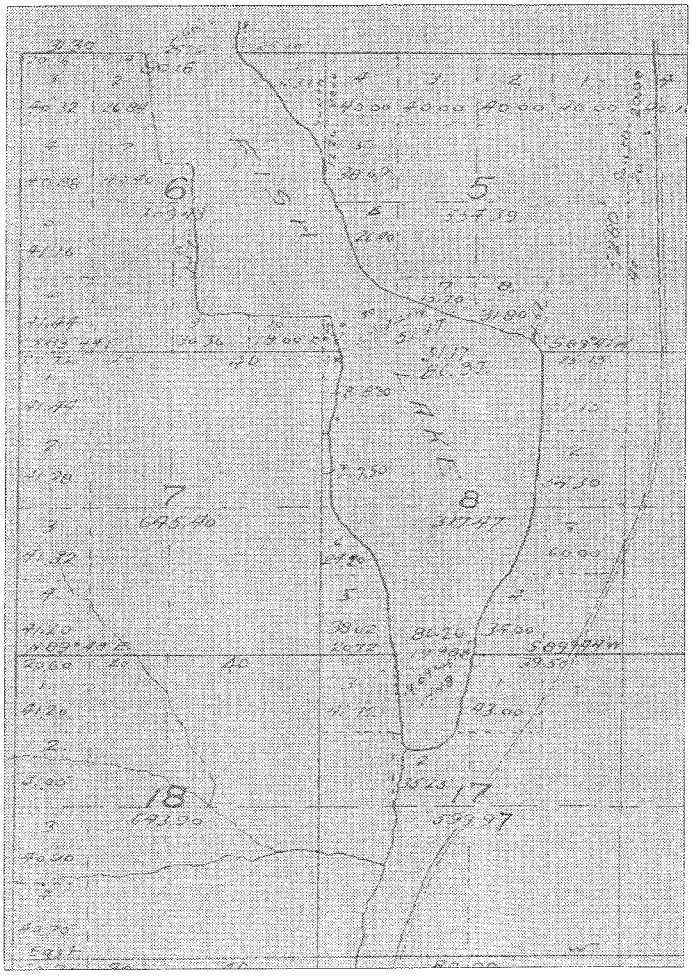


EXHIBIT 5

T.53N., R.4W., B.M. Government Lot Area Comparison

Spirit Lake

	G.L.O. Acres	Computed Acres	Percentage Difference
Section 6			
Lot 8	22.00	25.2	14%
Lot 9	22.50	38.5	71%
Section 7			
Lot 5	40.50	47.9	18%
Lot 6	46.70	92.1	97%
Lot 7	44.00	100.2	128%
Lot 8	48.80	76.6	57%
Lot 9	16.21	18.8	16%
Lot 10	4.50	8.7	93%
Section 8			
Lot 1	32.91	33.6	2%
Lot 2	31.73	38.0	20%
Lot 3	39.64	40.0	1%
Section 17			
Lot 1	56.80	65.7	16%
Lot 2	36.70	21.9	-40%
Lot 3	33.78	22.9	-32%
NESW	40.00	28.9	-28%
Section 18			
Lot 1	35.41	53.5	51%
Lot 2	21.70	30.9	42%
Lot 3	23.26	24.5	5%
Lot 4	51.70	44.2	-15%
Lot 5	24.30	13.3	-45%
Lot 6	24.10	27.8	15%

Notes
(G.L.O): Meanders run by John B. David, U.S. Deputy Surveyor
G.L.O. acreage obtained from the plat
Computed acreage was obtained from overlay of B.L.M.'s G.M.M. (Geographic Measurement Management) output on digital U.S.G.S. quadrangle maps, verified with Kootenai County Surveyor's section corner G.P.S. file and road centerline file.

Compiled by
Bruce Anderson, L.S.
Kootenai County Surveyor

EXHIBIT 6

T.52N., R.4W., B.M. Government Lot Area Comparison

Lower Twin Lake

	G.L.O. Acres	Computed Acres	Percentage Difference
Section 5			
Lot 5	38.69	34.6	-11%
Lot 6	26.40	3.5	-87%
Lot 7	15.70	0.5	-97%
Lot 8	31.80	28.6	-10%
Lot 9	9.00	45.3	403%
NESW	40.00	23.9	-40%
Section 6			
Lot 1	31.33	38.8	24%
Lot 2	26.84	52.0	94%
Lot 7	43.40	59.4	37%
Lot 8	14.70	31.8	116%
Lot 9	30.36	40.0	32%
Lot 10	19.00	57.1	201%
Section 8			
Lot 1	51.15	49.6	-3%
Lot 2	54.30	69.1	27%
Lot 3	60.00	83.7	40%
Lot 4	34.00	46.1	36%
Lot 5	38.02	57.0	50%
Lot 6	24.20	58.7	143%
Lot 7	7.50	52.8	604%
Lot 8	8.30	57.0	587%
Section 17			
Lot 1	43.00	53.9	25%
Lot 2	35.25	40.0	13%
Lot 3	41.72	53.4	28%

Notes
(G.L.O): Meanders run by John B. David, U.S. Deputy Surveyor
G.L.O. acreage obtained from the plat
Computed acreage was obtained from overlay of B.L.M.'s G.M.M. (Geographic Measurement Management) output on digital U.S.G.S. quadrangle maps, verified with Kootenai County Surveyor's section corner G.P.S. file and road centerline file.

Compiled by
Bruce Anderson, L.S.
Kootenai County Surveyor

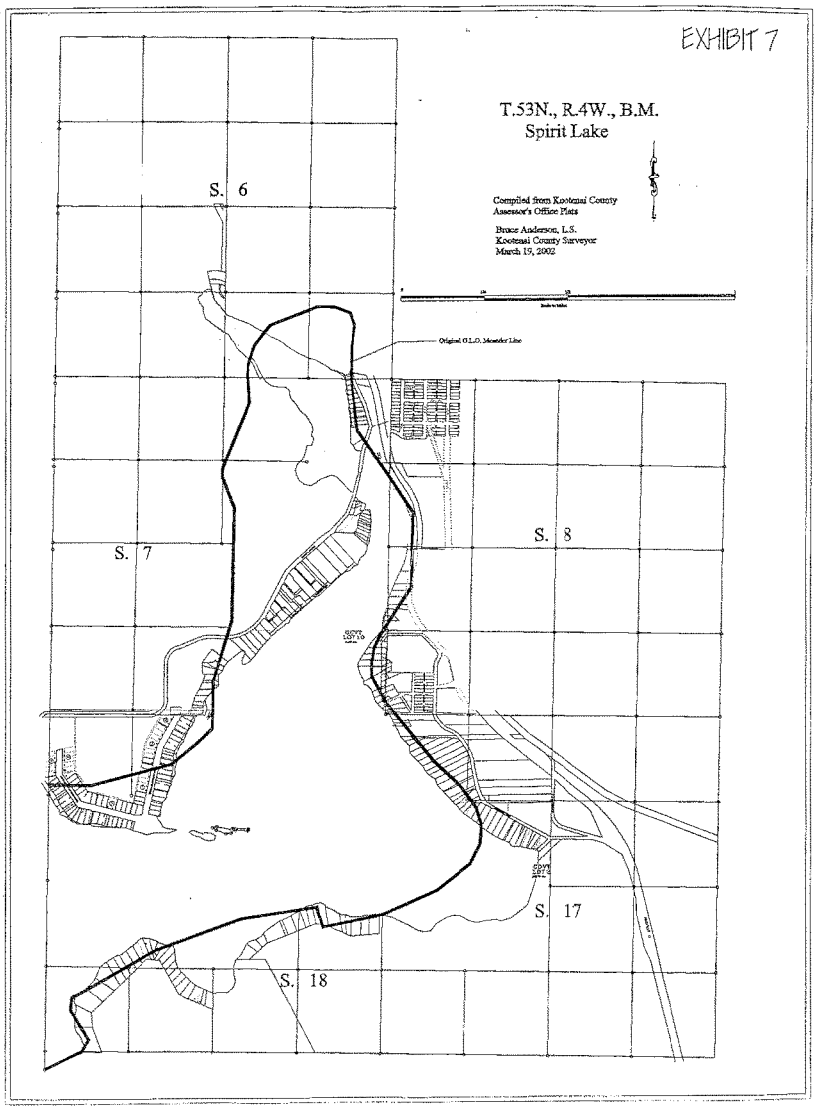


EXHIBIT 7
T.53N., R.4W., B.M.
Spirit Lake
Compiled from Kootenai County
Assessor's Office Plats
Bruce Anderson, L.S.
Kootenai County Surveyor
March 19, 2002
S. 6
S. 7
S. 8
S. 17
S. 18

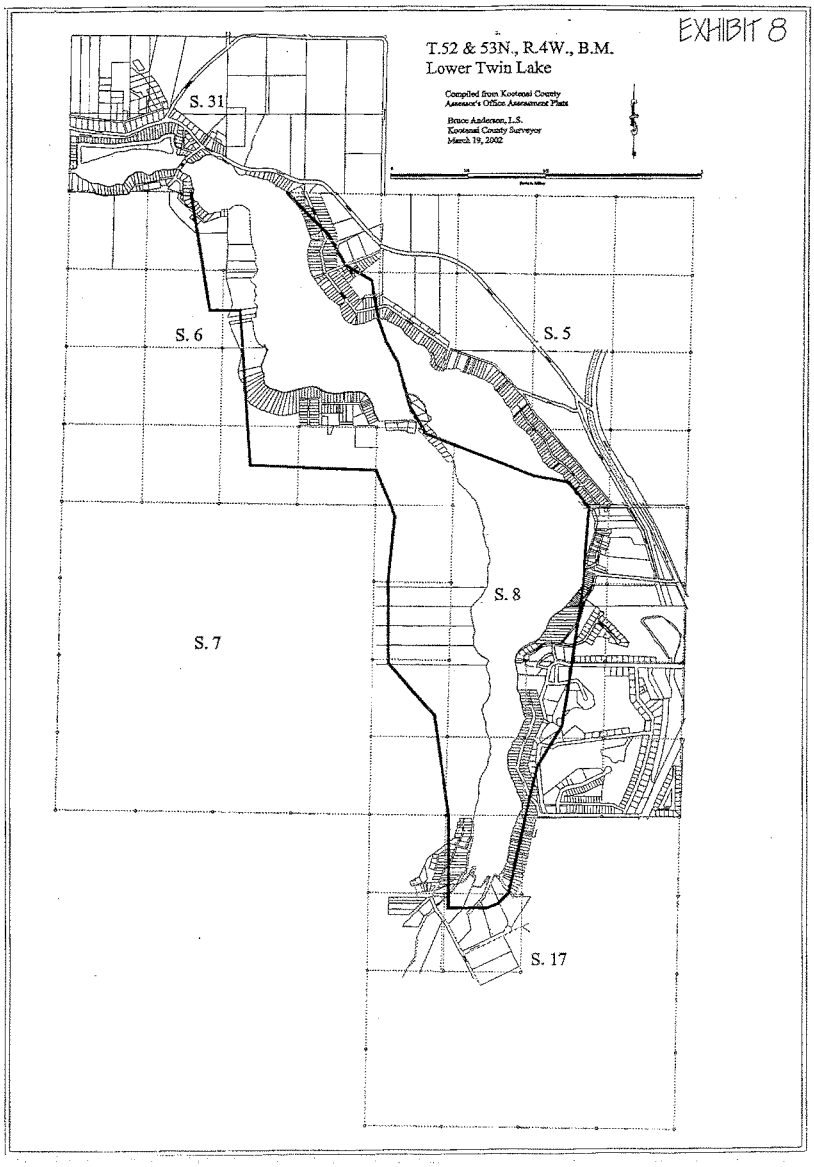


EXHIBIT 8
T.52 & 53N., R.4W., B.M.
Lower Twin Lake
Compiled from Kootenai County
Assessor's Office Assessment Plats
Bruce Anderson, L.S.
Kootenai County Surveyor
March 19, 2002
S. 31
S. 6
S. 5
S. 8
S. 7
S. 17

Mr. OTTER. We will now go to the panel—or we will now go to the folks seated at the dais. Mr. Kildee, do you have any questions of any of the panelists?

Mr. KILDEE. Thank you, Mr. Chairman.

First of all, I want to thank all the witnesses for their testimony. When I drive back to Michigan, I drive near the very sacred site in Pennsylvania, and I get a feeling there like I get at no other place. And I say a prayer of gratitude. And I am going to thank you for your testimony today. I certainly support the bill and will do everything I can to see that it is enacted. But it is a sacred site, and we should hold it in a special way in our history and in our heart.

Mayor Pollard, my cousin Russell Kildee was mayor of Washugal, Washington, just east of you, before you were born, I am sure, so there is a connection out there. And Lewis and Clark made Washugal historically important also. So I certainly will support that bill and also the bill for Idaho. So I again thank all of you for your testimony, and thank you very much.

Mr. OTTER. Well, thank you very much, Mr. Kildee. I appreciate it.

Mr. Anderson, not that your bill is any more important than any others, but because it is the bill that I introduced, I would like to ask you first. Folks that are now the residents of those 400 lots who built their homes and built their lives on those lots have been paying taxes all along under the assumption that this was their property, right?

Mr. BRUCE ANDERSON. That is correct, Congressman.

Mr. OTTER. And you heard Mr. Robert Anderson's testimony representing the Administration and the Department of Interior relative to previous errors and what it has cost to correct them. Are you familiar with any other sites in Idaho or in the West that have had to be corrected this same way?

Mr. BRUCE ANDERSON. Not any of the other ones mentioned by Mr. Anderson.

Mr. OTTER. I see.

I would just mention to you, as a part of the lure of Idaho, that the second lieutenant who was sent out to the Salmon River Breaks by then General Grant, President Grant, in order to survey the new Idaho Territory, as you might recall, the story goes is that he and some of his troops got a little inebriated the night before, and when they left, they hit—they got onto the wrong mountain range, and as a result they got on the Continental Divide instead of where they were supposed to be, and Idaho has lost a sizable portion of ground to Montana. In fact—which would increase the size of the State by a third. And I had meant to ask Mr. Anderson in the Department if they would seek to correct that error as well. But I would probably find a little opposition from my colleague Mr. Rehberg if he were here, and he is not.

Anyway, I just—it is not unusual, as you have stated, and as Mr. Anderson before him has stated, for us to have to go back and correct some of these problems.

Let me ask Ms. Tokar-Ickes—did I say that right?

Ms. TOKAR-ICKES. Tokar-Ickes. That is fine. Thank you.

Mr. OTTER. What has been the involvement—in a brief part of your statement you talked about the—some of the community involvement. But what has been the involvement of the local communities in this effort?

Ms. TOKAR-ICKES. I think the local communities have really felt a very great stewardship toward maintaining the integrity and the dignity of this site. In fact, many of the community residents of Shanksville and Stonycreek Township are actually serving as Ambassadors at the temporary crash site on a voluntary basis 7 days a week during this peak of visitation season really, the height of the tourism season. We are seeing thousands of people visiting the temporary crash site, and they are serving as citizen Ambassadors to tell those who visit the story of what happened and provide some perspective and interpretation at the site currently.

Mr. OTTER. And forgive me for not knowing this, because I should, but is the site of the crash site, is that private ground?

Ms. TOKAR-ICKES. It is currently private property, yes.

Mr. OTTER. And how does the private property owners feel about this.

Ms. TOKAR-ICKES. We have talked to all of the landowners there.

Mr. OTTER. How many landowners are there?

Ms. TOKAR-ICKES. There are seven. There are seven obviously involved in the crash site boundaries. We are going to be working with the landowners. They will have a voice on the task force that is to be appointed.

I think to the landowner, they are very supportive of moving forward to memorialize this site. They know that life is never going to be the way it was prior to September 11, and they have been very cooperative with those who are visiting the site. We really are—they are hosting really the world at this point because it is their private property.

So I would say unequivocally that we do have support from all of the landowners.

Mr. OTTER. Is there any prohibition of any activity that that private property owner has on that land right now?

Ms. TOKAR-ICKES. The County of Somerset has been in charge of security. It is currently still a coroner's site, and our county corner is holding the site, because without that jurisdiction, the security would not be able to be there on a round-the-clock basis. The private property owners do have access to their particular parcels; however, the access is restricted. They are not to be bringing anybody else onto the property.

Mr. OTTER. I see. Thank you very much.

Ms. Kemmerer, how do you feel about the role as it has been described in 3917, H.R. 3917, of the family—of the family folks, organization.

Ms. KEMMERER. The family organization was just formed over the last couple of months. There are three board of directors, and what we—our role is to support the task force in coming up with an appropriate memorial. Hopefully all the wishes of the family members would be combined into a memorial that everybody would respect and honor.

Mr. OTTER. I see. Do you see—I know that Ms. Tokar-Ickes described the napkins and the more sophisticated drawings and

renderings and ideas. Do you see this as a memorial to freedom, as a memorial—obviously, you know, as has been stated so many times, the first time that we went to war since the Civil War on our own ground, as well as—I mean, certainly in honor of those on Flight 93, but as a war of freedom and civil contribution, civilian contribution to our national security?

Ms. KEMMERER. It definitely speaks very highly of the people and their belief that it is a free United States and that the terrorists were not going to get their own way. They completely took over the plane, kept the plane away from hurting any other individuals on the ground, and took it upon themselves to act as the caretakers of the United States and not letting any other terrorist act occur on that day.

Mr. OTTER. Well, I would certainly join with my colleague Mr. Kildee in recognizing that these were the first of the citizen patriots; that if we could get 282 million Americans to recognize their responsibility to themselves, their families and their national security as those folks on Flight 93 recognized that, this war against terrorism would be over.

Do you have any further questions, Mr. Kildee?

Mr. KILDEE. No, thank you.

Mr. OTTER. There are no further questions. This panel may be excused. There being no further business before the Committee, the Committee is adjourned.

[Whereupon, at 3:25 p.m., the Subcommittee was adjourned.]

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