

Title II contains the text of H.R. 1428, legislation sponsored by Chairman POMBO. It will reauthorize the National Fish and Wildlife Foundation which has been a valuable resource in fostering private-public conservation partnerships.

Title III includes H.R. 158, legislation sponsored by Congressman RON KIND, that would reauthorize and enhance the Neotropical Migratory Bird Conservation Act. Since 2000, \$17.2 million of Federal funding under this act has supported 186 conservation projects in 42 U.S. States and 30 Latin American and Caribbean countries.

This investment has leveraged an additional \$89.1 million in total partner contributions to conserve some 3.2 million acres of bird habitat. I applaud Congressman KIND for his dedication and leadership on this critical conservation issue.

Title IV includes H.R. 4345, legislation sponsored by our colleague from Nevada, Representative SHELLEY BERKLEY, which would transfer abandoned Federal property to the city of Las Vegas to enhance popular park and recreational programs. Both Representative BERKLEY and Senator HARRY REID of Nevada deserve credit for this initiative.

Title V includes H.R. 4947, a bill sponsored by Representative BACHUS which would expand the Cahaba National Wildlife Refuge in Alabama.

Title VI includes H.R. 5232, a bill sponsored by Representative KANJORSKI, which directs the Fish and Wildlife Service to complete its study for a new refuge in the Cherry Valley region of northeast Pennsylvania.

Representative KANJORSKI has worked throughout the process to address the concerns of all stakeholders, and this study would be the catalyst towards achieving the long-term protection of this area.

Mr. Speaker, last but certainly not least, Title VII contains S. 1250, legislation sponsored by Senator JEFFORDS, that would reauthorize funding for the Great Ape Conservation Act.

I commend the sponsor of the House companion bill, H.R. 2693, and the author of the original act, Representative GEORGE MILLER of California, for his continued leadership in international wildlife conservation, for raising awareness of the dire plight of great apes in Africa.

In closing, the fish and wildlife and conservation titles in this legislation are all worthy of our support. I urge adoption of H.R. 4957.

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

Mr. JONES of North Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentleman from Michigan for being so gracious with this legislation that is so important to my constituents.

Mr. Speaker, I rise today in strong support of this legislation. My primary interest in this bill, although all of it is very laudatory, is title IV, which incorporates the language of legislation I introduced earlier this year, the Ed Fountain Park Expansion Act.

This language, which, as has been previously mentioned, has already been approved by the Senate and would transfer a vacant 8-acre parcel of land from the U.S. Fish and Wildlife Service to the city of Las Vegas for the expansion of the Ed Fountain Park. The city of Las Vegas intends to build a new community center on the site to complement the existing recreational elements of the park, which include lighted soccer fields, outdoor basketball courts, an artificial turf football field, a bicycle track, and picnic areas.

The Fish and Wildlife Service has no further use for this property, which had previously housed the headquarters of the Desert National Wildlife Refuge at a time when this location was on the outskirts of Las Vegas. Due to the phenomenal growth we have experienced in southern Nevada, the site is very much now in the middle of town, and I cannot think of a better use for it than expanding a popular and valuable community resource.

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Again, I would like to thank Chairman GILCHREST and Ranking Member PALLONE from the Fisheries Subcommittee for their assistance in moving this issue forward. I urge all the Members to support the underlying bill, and again thank the chairman and the ranking member for their extraordinary support.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of this legislative package, which will reauthorize important international fish and wildlife conservation programs and will expand national parks and wildlife refuges.

In particular, I want to draw special attention to the Great Ape Conservation Act. The reauthorization that's before us today was introduced by Senator JEFFORDS last June, following a bill that I introduced in May 2005 with Rep. BAIRD.

It has now been more than 5 years since the Great Ape Conservation Act was signed into law. In that time, this program has helped protect threatened primates, including chimpanzees, gorillas, bonobos, orangutans, and gibbons. I'm very pleased that the House is now poised to pass this reauthorization, which is needed to continue progress in this important field.

As the Fish and Wildlife Service testified in the Resources Committee last June, "Much of the success of the Great Ape Conservation Act has been a direct result of the unique small project focus on on-the-ground conservation projects in Africa and Asia." The funds provided by the Great Ape Conservation Act have gone to such diverse projects as: protecting chimpanzee habitat from logging operations; establishing anti-poaching enforcement units; starting conservation education programs; coordinating gibbon population surveys and threat assessments; and implementing ape health monitoring programs.

Like the other Multinational Species programs, Federal funds under the Great Ape Conservation Act are distributed as matching grants, meaning that the expense for these projects is shared between the Federal government and project partners. This match requirement has leveraged over \$7.7 million in non-federal contributions over the period of 2001-2005 and has more than doubled the actual funding for conservation projects.

But despite the ongoing successes of the Act, the threats to these noble primates continue, and time is not on our side. Press accounts and reports from the field indicate that these species continue to be placed in jeopardy by habitat loss, poaching, logging, and the bush meat trade. The bill before us today specifically authorizes funding to address these root causes of threats to great apes.

The contributions of the Great Ape Conservation Act have been very important in the international efforts to protect and conserve the great apes of Africa and Asia, but there is much work yet to be done. Accordingly, today's bill extends the program's authorization through the year 2010.

As I said when I introduced the Great Ape Conservation Act of 2000, the task ahead is daunting. But the ecological consequences of not acting are far more tragic if it means that great apes will cease to exist in the wild.

I want to thank the Resources Committee staff, especially Dave Jansen, for their work in shepherding this bill through the House, and I urge my colleagues to support this legislation.

Mr. KILDEE. Mr. Speaker, I yield back the balance of my time.

Mr. JONES of North Carolina. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. JONES) that the House suspend the rules and pass the bill, H.R. 4957, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to direct the Secretary of the Interior to convey the Tylersville division of the Lamar National Fish Hatchery and Fish Technology Center to the State of Pennsylvania, and for other purposes."

A motion to reconsider was laid on the table.

#### PARTNERS FOR FISH AND WILDLIFE ACT

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 260) to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners For Fish and Wildlife Program.

The Clerk read as follows:

S. 260

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Partners for Fish and Wildlife Act".

**SEC. 2. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) approximately 60 percent of fish and wildlife in the United States are on private land;

(2) it is imperative to facilitate private landowner-centered and results-oriented efforts that promote efficient and innovative ways to protect and enhance natural resources;

(3) there is no readily available source of technical biological information that the public can access to assist with the application of state-of-the-art techniques to restore, enhance, and manage fish and wildlife habitats;

(4) a voluntary cost-effective program that leverages public and private funds to assist private landowners in the conduct of state-of-the-art fish and wildlife habitat restoration, enhancement, and management projects is needed;

(5) durable partnerships working collaboratively with willing private landowners to implement on-the-ground projects has led to the reduction of endangered species listings;

(6) Executive Order No. 13352 (69 Fed. Reg. 52989) directs the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency to pursue new cooperative conservation programs involving the collaboration of Federal, State, local, and tribal governments, private for-profit and non-profit institutions, non-governmental entities, and individuals;

(7) since 1987, the Partners for Fish and Wildlife Program has exemplified cooperative conservation as an innovative, voluntary partnership program that helps private landowners restore wetland and other important fish and wildlife habitat; and

(8) through 33,103 agreements with private landowners, the Partners for Fish and Wildlife Program has accomplished the restoration of 677,000 acres of wetland, 1,253,700 acres of prairie and native grasslands, and 5,560 miles of riparian and in-stream habitat since 1987, demonstrating much of that success since only 2001.

(b) PURPOSE.—The purpose of this Act is to provide for the restoration, enhancement, and management of fish and wildlife habitats on private land through the Partners for Fish and Wildlife Program, a program that works with private landowners to conduct cost-effective habitat projects for the benefit of fish and wildlife resources in the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) FEDERAL TRUST SPECIES.—The term “Federal trust species” means migratory birds, threatened species, endangered species, interjurisdictional fish, marine mammals, and other species of concern.

(2) HABITAT ENHANCEMENT.—

(A) IN GENERAL.—The term “habitat enhancement” means the manipulation of the physical, chemical, or biological characteristics of a habitat to change a specific function or seral stage of the habitat.

(B) INCLUSIONS.—The term “habitat enhancement” includes—

(i) an activity conducted to increase or decrease a specific function for the purpose of benefitting species, including—

(I) increasing the hydroperiod and water depth of a stream or wetland beyond what would naturally occur;

(II) improving waterfowl habitat conditions;

(III) establishing water level management capabilities for native plant communities;

(IV) creating mud flat conditions important for shorebirds; and

(V) cross fencing or establishing a rotational grazing system on native range to im-

prove grassland nesting bird habitat conditions; and

(ii) an activity conducted to shift a native plant community successional stage, including—

(I) burning an established native grass community to reduce or eliminate invading brush or exotic species;

(II) brush shearing to set back early successional plant communities; and

(III) forest management that promotes a particular seral stage.

(C) EXCLUSIONS.—The term “habitat enhancement” does not include regularly scheduled and routine maintenance and management activities, such as annual mowing or spraying of unwanted vegetation.

(3) HABITAT ESTABLISHMENT.—The term “habitat establishment” means the manipulation of physical, chemical, or biological characteristics of a project site to create and maintain habitat that did not previously exist on the project site, including construction of—

(A) shallow water impoundments on non-hydric soils; and

(B) side channel spawning and rearing habitat.

(4) HABITAT IMPROVEMENT.—The term “habitat improvement” means restoring, enhancing, or establishing physiographic, hydrological, or disturbance conditions necessary to establish or maintain native plant and animal communities, including periodic manipulations to maintain intended habitat conditions on completed project sites.

(5) HABITAT RESTORATION.—

(A) IN GENERAL.—The term “habitat restoration” means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning the majority of natural functions to the lost or degraded native habitat.

(B) INCLUSIONS.—The term “habitat restoration” includes—

(i) an activity conducted to return a project site, to the maximum extent practicable, to the ecological condition that existed prior to the loss or degradation, including—

(I) removing tile drains or plugging drainage ditches in former or degraded wetland;

(II) returning meanders and sustainable profiles to straightened streams;

(III) burning grass communities heavily invaded by exotic species to reestablish native grass and plant communities; and

(IV) planting plant communities that are native to the project site;

(ii) if restoration of a project site to its original ecological condition is not practicable, an activity that repairs 1 or more of the original habitat functions and that involve the use of native vegetation, including—

(I) the installation of a water control structure in a swale on land isolated from overbank flooding by a major levee to simulate natural hydrological processes; and

(II) the placement of streambank or instream habitat diversity structures in streams that cannot be restored to original conditions or profile; and

(iii) removal of a disturbing or degrading element to enable the native habitat to reestablish or become fully functional.

(6) PRIVATE LAND.—

(A) IN GENERAL.—The term “private land” means any land that is not owned by the Federal Government or a State.

(B) INCLUSIONS.—The term “private land” includes tribal land and Hawaiian homeland.

(7) PROJECT.—The term “project” means a project carried out under the Partners for Fish and Wildlife Program established by section 4.

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 4. PARTNERS FOR FISH AND WILDLIFE PROGRAM.**

The Secretary shall carry out the Partners for Fish and Wildlife Program within the United States Fish and Wildlife Service to provide—

(1) technical and financial assistance to private landowners for the conduct of voluntary projects to benefit Federal trust species by promoting habitat improvement, habitat restoration, habitat enhancement, and habitat establishment; and

(2) technical assistance to other public and private entities regarding fish and wildlife habitat restoration on private land.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to carry out this Act not more than \$75,000,000 for each of fiscal years 2006 through 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. JONES) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

**GENERAL LEAVE**

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

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support S. 260, the Partners For Fish and Wildlife Act, and compliment the House and Senate authors of this legislation, Representative JOHN SULLIVAN and Senator JAMES INHOFE of Oklahoma.

This is not a new Federal program. It has been administratively managed by the U.S. Fish and Wildlife Service for over two decades. It is based on the innovative concept that wildlife populations and their habitats can be effectively conserved, managed and restored through voluntary agreements between private landowners and the Federal Government.

During the past 20 years, more than 35,000 agreements have been signed throughout the United States. The result has been remarkable with the protection, restoration and enhancement of nearly 2.5 million acres of important fish and wildlife habitat. In specific terms, over 700,000 acres of wetlands, 1.5 million acres of upland habitat and 6,000 miles of riparian and instream habitat have been restored. In addition, over 120,000 acres have been treated for invasive species, and 194 barriers to the fish passage have been removed.

What this legislation simply proposes is to build upon the existing successes by converting the line item within the Fish and Wildlife Service budget to a congressionally authorized program. By so doing, we will provide stability to the program, highlight the benefits of public and private partnership, and increase the amount of congressional oversight in the future.

S. 260 is strongly supported by the Bush administration to States, private landowners and wildlife conservation organizations. The Partners Program has been a huge success, and we should ensure that this innovative program will flourish in the future.

I urge an "aye" vote on this legislation.

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

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

Mr. Speaker, we support this legislation that will provide a statutory authorization for the Partners for Fish and Wildlife program. This popular program facilitates cooperation between the U.S. Fish and Wildlife Service and non-Federal organizations to voluntarily protect, conserve and restore habitat important to fish and wildlife.

It is our understanding that this legislation ratifies the existing administrative program, and that the service will implement the act under its existing regulations. I urge Members to support S. 260.

Mr. Speaker, I yield back the balance of my time.

Mr. JONES of North Carolina. Mr. Speaker, I yield as much time as he may consume to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I rise today in strong support of S. 260, the Partners for Fish and Wildlife Act, which was introduced in the Senate by my friend and fellow Oklahoman, Senator INHOFE.

I would like to thank some of the people that work on the staff, Nathan Richmond and the famous Ryan Jackson on the Public Works Committee for all their support. The bill is supported by 34 different sportsmen and conservation groups.

I would like to thank my colleagues, Fisheries and Oceans Subcommittee Chairman GILCREST and House Resources Chairman POMBO, for their consideration and leadership on this bill. I was proud to introduce companion legislation, H.R. 2018, in the House last year.

Senate bill 260 will authorize the popular Partners for Fish and Wildlife program. The Partners Program provides technical and financial assistance to private landowners to voluntarily restore wetlands and other fish and wildlife habitat on their own land.

With more than 80 percent of the fish and wildlife in the United States on private lands, S. 260 is needed to encourage public-private landowners in Oklahoma and around our Nation to enter into agreements with the Federal Government to conserve valuable natural habitat and wildlife.

Since 1987, the U.S. Fish and Wildlife Service has operated the Partners Program as a separate line item under the President's budget, subjecting these funds to reprogramming within the Fish and Wildlife Services.

Senate bill 260 authorizes up to \$75 million through fiscal year 2011 to

allow this successful program to stabilize and expand. Given that thousands of landowners are eager to participate in the Partners Program, Senate bill 260 couldn't come at a better time.

As a sportsman, I believe that it is our responsibility to protect and preserve our natural resources. There are few things I enjoy more than fishing with my kids, and we owe our future generations the same opportunity.

Most people think that wildlife conservation and the rights of private landholders are a naturally combative force and are mutually exclusive. The Partners Program is a shining example of how we can protect wildlife and the property of individuals at the same time.

The simple fact is the future of our natural resources depends on the conservation of habitat, the successful management of wildlife, and the control of invasive species on private land. Passage of S. 260 today is critical to ensure its continued success.

Mr. JONES of North Carolina. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from North Carolina (Mr. JONES) that the House suspend the rules and pass the Senate bill, S. 260.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### CITY OF OXNARD WATER RECYCLING AND DESALINATION ACT OF 2006

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2334) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters water in the area of Oxnard, California, as amended.

The Clerk read as follows:

H.R. 2334

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "City of Oxnard Water Recycling and Desalination Act of 2006".*

#### SEC. 2. OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.

(a) *IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102-575; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:*

*"SEC. —. OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.*

*"(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Oxnard, California,*

*may participate in the design, planning, and construction of Phase I permanent facilities for the GREAT project to reclaim, reuse, and treat impaired water in the area of Oxnard, California.*

*"(b) COST SHARE.—The Federal share of the costs of the project described in subsection (a) shall not exceed 25 percent of the total cost.*

*"(c) LIMITATION.—The Secretary shall not provide funds for the following:*

*"(1) The operations and maintenance of the project described in subsection (a).*

*"(2) The construction, operations, and maintenance of the visitor's center related to the project described in subsection (a).*

*"(d) SUNSET OF AUTHORITY.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section."*

*(b) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the last item the following:*

*"Sec. . . Oxnard, California, water reclamation, reuse, and treatment project."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. JONES) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

#### GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise their remarks and include extraneous material.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2334, sponsored by Congresswoman LOIS CAPPs, authorizes the Bureau of Reclamation to participate in a water recycling and desalting project with the city of Oxnard, California.

As water demands grow and supplies become more scarce in southern Carolina, this bill will help provide regional water supply solutions to the Oxnard Plain. Using an innovative recycling and groundwater injection system, this program will provide many regional benefits and is designed to help meet the city's water supply needs through the year 2030. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in strong support of H.R. 2334, legislation sponsored by the gentlewoman from California, LOIS CAPPs.

With almost no assistance from the Federal Government, the city of Oxnard is making significant improvements to its municipal water system. A key part of their project, called the GREAT project, is to stretch local water supplies with new projects for desalting and water recycling. Especially in our western States, projects