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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. SIRES).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 26, 2007.

I hereby appoint the Honorable ALBIO SIRES to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debate. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

PLIGHT OF IRAQI REFUGEES

Mr. BLUMENAUER. Mr. Speaker, this last week I had the opportunity to meet a true American hero in Iraq, Kirk W. Johnson. No matter what your position on the war in Iraq, how it started, where it's going, how it will end up, you should be deeply concerned by the 4 million Iraqis who have been forced to flee their homes. And you cannot help but be impressed by Mr. Johnson and his deep concern for their plight.

This young Arabist, who worked for the USAID as regional coordinator on reconstruction in Fallujah—from, I might add, impeccable Republican lineage—figured prominently in George Packer's haunting essay in The New Yorker on March 26 of this year. That essay, entitled ''Betrayed: The Iraqis Who Trusted America the Most,'' had a profound impact on me. It is a harsh title, but the facts are harsh. In a country with a population about the size of Texas, 4 million Iraqis have been forced to flee their homes. Two million are currently outside the country, primarily in Jordan and Syria where there are jarring press accounts, for instance, of women forced into prostitution to feed their families in Syria. Mr. Johnson has been focusing on a special subset of these unfortunate people, people whose lives are at risk because they helped the United States, translators, guides, people who worked on the reconstruction effort. He has compiled a list of over 500 Iraqis that he knows personally are in that category. Five hundred, not one of whom has been able to yet make it to the United States for asylum. They are part of the tip of the refugee iceberg. Two million, as I say, in Jordan and Syria.

Mr. Johnson asks the question that each Member of Congress must confront: What kind of superpower can't convert its ''very top priority''—the words, by the way, of Ellen Sauerbrey, the Assistant Secretary of State for Population, Refugees, and Migration in her testimony before the United States Senate—can't convert its very top priority into a program that starts saving the lives of people who helped us before their visas expire?

The stark reality is that only 70 Iraqis since October of last year have been admitted to the United States. Only eight in March, one in April and another in May.

I strongly urge that my colleagues join me in supporting H.R. 2265. This comprehensive refugee legislation will allow for more Iraqis to be granted refugee status in the United States. Why should the United States accept fewer refugees than Sweden? It would allow them to apply for refugee status in Iraq. Why should they be forced to flee the country, to Jordan, for instance, when we have the largest embassy in the world in Baghdad? This legislation would put somebody in charge, having a special coordinator to help us make sure that this problem is solved. I strongly urge my colleagues to make sure that Congress does its part to deal with the greatest continuing refugee crisis in the world with the possible exception of the Darfur. This is a crisis for which the United States has a unique responsibility and a unique role in its solution.

Please examine H.R. 2265, add your name as cosponsor, but, more important, join Mr. Kirk Johnson in making the plight of these millions of unfortunate people, especially those who helped us, part of your mission in Congress.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 7 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

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In these uncertain times, when thousands of refugees have left their homeland in the search for peace, and so many of Your people immigrate for food, for a job, or for a better way of life for their children, the words of Ruth, the refugee in the Scriptures, echo in the aching hearts of so many in today's world.

''Wherever you go, I will go, wherever you stay, I will stay. Your people will be my people, and your God will be my God too. Wherever you die, I will die, and I will lie down beside you. I swear an oath before the Lord God: Nothing but death shall divide us.''

Lord, such expression to faithfulness in a human relationship builds strong families and nations. Ruth's oath speaks of a deep commitment and creates hope for the future.

Dear Lord, uphold the fragile life of refugees. Grant stability to marriages in this Nation. Sustain the families of Members of Congress and the military with patience, endurance and faithfulness.

May Your eternal love and faithfulness sometimes hinted at in the human relationships of Your people be revealed to those who take flight even today. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

VICE PRESIDENT CHENEY NEEDS TO TAKE A CIVICS CLASS—HE IS A MEMBER OF THE EXECUTIVE BRANCH

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, Vice President CHENEY has been serving as the Vice President now for 7 years, and he is claiming that he is not a member of the executive branch.

We didn't hear the Vice President disputing his place in the executive branch when he claimed executive privilege at congressional attempts to have CHENEY make public his energy task force members.

No, CHENEY is once again trying to do an end-run around the rules. Last week the House Oversight Committee learned that CHENEY had exempted his office from the Presidential order that establishes government-wide procedures for safeguarding classified national security information.

Editorials nationwide are decrying CHENEY's actions. The Kansas City Star said that this is another example of his ''insistence on secrecy and his disdain for open government.'' USA Today said there was ''no surer way for leaders to get the country in trouble than to mix arrogance with secrecy.''

Let's see if the President is still actually standing up to his second.

JUDGE ROBERT E. COYLE COURTHOUSE

(Mr. RADANOVICH asked and was given permission to address the House for 1 minute.)

Mr. RADANOVICH. Mr. Speaker, today I rise in support of Senate bill 1801, a bill to rename the U.S. courthouse in Fresno, California, as the Robert E. Coyle United States Courthouse. In previous Congresses, I have introduced identical legislation, and I am pleased to see that this is finally happening.

A local man, Judge Coyle was born in Fresno, California, and earned his B.A. from California State University Fresno. After completing his undergraduate work, Judge Coyle didn't have to travel far to earn his J.D. at Hastings College of Law in San Francisco. Nominated for appointment in 1980 by President Ronald Reagan, Judge Coyle was subsequently elevated to chief judge in 1990 and served in that capacity until 1996, where he took senior status.

Judge Coyle has dedicated himself to a lifetime of service in the central valley. He has proven himself a strong community leader, and was instrumental in the construction of the new courthouse downtown. It's only fitting that the building bears his name.

This should be a proud day for Judge Coyle and his family. I wish him the best in the years to come and thank him for his tireless devotion to public service.

SO-CALLED GLOBAL WAR ON TERRORISM CANNOT BE WON BY MILITARY MIGHT ALONE

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, the so-called global war on terrorism cannot be won by military might alone. It is a war of ideas and philosophies. Terrorism is the tactic used by people who seem to hate what the U.S. stands for more than they love life itself. But it is hard to hate the concepts of justice, individual freedoms and human rights.

The problem is that as long as our enemies can claim that we deny justice and abuse human rights and individual freedoms, we lose ground in this war of ideas. In fact, as long as we maintain the Guantanamo Bay detention facility, we undermine our standing, our credibility, throughout the world.

This is not what America stands for. America stands for the concept of habeas corpus and human rights. Guantanamo Bay is unAmerican, and that's why it needs to be closed.

PLAYING THE FIDDLE WHILE THE BORDER BURNS

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, U.S. Border Patrol agents report that illegals and drug smugglers are entering the United States through our national forests. They are setting forest fires at the border, at patrol stands and watch towers, attempting to smoke out the agents and divert their attention from the illegal crossings.

National forest firefighters have reported seeing illegals and drug smugglers move right on through fires as the firefighters try to put out the fires. Once assaulted with rocks, cars, guns, now agents must worry about fires. And these arsonist illegals are not just stopping at setting those fires. Reports indicate some illegals have engaged in throwing Molotov cocktails—a crude bomb made from gasoline—at our agents.

The border war has escalated. These new invaders are not the migrants in search of a better life, they are violent land burners who will do anything to invade the United States, including assaulting U.S. border agents.

There is a wildfire of illegal crossings at the border, and the Potomac amnesty-for-all crowd is fiddling the violin of blissful ignorance while the border burns.

And that's just the way it is.

IT'S TIME FOR THE VICE PRESIDENT TO REMOVE THE SECRECY

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, over the last 7 years, DICK CHENEY has convinced himself that Saddam Hussein was involved in 9/11, that Iraq had weapons of mass destruction and that the insurgency was in its last throes. Now it seems he's convinced himself that he is not actually Vice President, insisting that he, unlike the previous 44, is not a member of the executive branch.

It's difficult for any American who's taken seventh grade civics to miss the hypocrisy of this claim, especially when it comes from a man who so frequently has withheld information from Congress based on the assertion of executive privilege.

It's time for the Vice President to remove the secrecy, reject hypocrisy, and honor his pledge to support the Constitution. It's time for DICK CHENEY to start respecting the citizens who pay

his salary and start leveling with us. Even a child can tell you, you can have special privileges if you obey the rules, and even the Vice President can't have it both ways.

Many of us wish you weren't part of the executive branch, Mr. Vice President, but so long as you accept the executive perks, we will demand executive responsibility and accountability.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to engage in personalities with regard to the Vice President.

AUTO WORKERS ARE AMERICANS WHOSE JOBS ARE WORTH PROTECTING

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, I was appalled last week by the words of the Senate Majority Leader HARRY REID asking Senators to vote for a job-killing fuel economy standards bill for cars by asking them to, ''speak for the American people, not for the three car companies that are closing plants and laying off people.''

Well, the last time I looked, the over 1 million people who work directly for the big three are actually American citizens, and millions of others whose jobs are supported by the big three are Americans as well, the last time I looked. Everyone knows that the biggest producer of CO_2 emissions is electricity production, and yet I didn't hear the Senate majority leader volunteer to make the blazing neon blazing casinos in his home State of Nevada more energy efficient. How about we regulate their energy consumption?

Let's hope that the Democratic leaders in this House understand that millions of American workers and their jobs are worth protecting and don't follow the Senate's lead in their attempt to destroy them.

DEMOCRATS MAKE NATIONAL PARKS AND WATER INFRASTRUCTURE A PRIORITY IN INTERIOR BILL

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Mr. Speaker, this week the House will consider legislation that begins to restore our commitment to our national parks and our environmental protection.

Over the past 6 years, the Republican-led Congress has cut critical funding to maintain and restore our national parks and our water infrastructure. This new Democratic Congress is not going to allow them to crumble from neglect. That is why we are making a major investment in upgrading our national parks and our water infrastructure.

The bill also improves the quality of drinking water throughout the country by restoring funding to the Clean Water Revolving Fund Act, an important program that saw significant cuts under the previous Republican-led Congress.

This bill is further proof that Democrats are taking America in a new direction, investing in key priorities that will protect our drinking water and our national parks.

THE IMPORTANCE OF LIBRARIES IN LOCAL COMMUNITIES

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I rise today in support of America's local libraries. Libraries have long been the locus of learning, cultural exchange and imagination for young and old alike.

As a former librarian, I know that libraries play a crucial role in providing generation after generation with access to great books and world-changing ideas. Libraries serve our communities as a sort of guidepost along an often overwhelming path of information in the Internet age. Librarians still provide the invaluable service of helping us answer the toughest questions and directing us to the most reliable sources for research.

For many Americans, libraries are the only place they have ready access to thousands of books on almost any topic. By their very nature, libraries encourage us to branch out and pursue interests that we might not be naturally inclined to pursue.

The phenomenon that best describes libraries, contribution to local communities is a patron wandering through the stacks and simply selecting a book because it caught his or her eye. It's this ability to ignite our imaginations and spur us to learn that makes libraries a lynchpin for thousands of communities across the Nation.

VICE PRESIDENT IS IN THE EXECUTIVE BRANCH

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, 5 years ago, when the Vice President met with the senior executives of big oil companies, and we wanted to know what they discussed when it came to energy policy for the country, the Vice President exerted executive privilege and said those meetings were private.

Now when we want to know what he is doing as it relates to America's national security in the lead-up to the war in Iraq and after the fact, the Vice President has declared he is a member of the legislative branch, the legislative branch.

Every 10-year-old who is studying social studies in the United States knows that the Vice President is in the executive branch. So we have decided that if the Vice President is no longer a member of the executive branch, therefore, we will no longer fund the executive branch of his office, and he can live off the funding for the Senate presidency.

We will follow the logic of this ludicrous argument that the Vice President of the United States is in the legislative branch, no longer in the executive branch. The Vice President is acting like he is unaccountable and above the law.

In fact, there is a real consequence to his decisions. His decision to avoid the historical record as it relates to America's national security has consequences. For too long he has accounted like he is above the law and not accountable, and it's time we bring him back to earth.

□ 1015

VISIT WITH SECRETARY OF THE NAVY TO BEAUFORT BASES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday I had the pleasure of joining Secretary of the Navy Donald Winter on tours of the Marine Corps air station at Beaufort and the Marine Corps recruit depot at Parris Island. I was honored to have the Sergeant Major of the Marines Corps, Carlton W. Kent, join us as well. The mission at Parris Island became crystal clear as we had breakfast with the dedicated drill instructors followed by a briefing led by its commanding officer, Brigadier General Paul Lefebvre. It was inspiring to see the determined recruits in action as they practiced firing the SAW M249, learned swimming, and participated in pugle sticks. Lieutenant Colonel William Ferrell welcomed the Secretary to the air station. After visiting with the Secretary and community leaders, I am more confident than ever that the air station is uniquely suited to take on F–35 Joint Strike Fighter. County Council Chairman Weston Newton, Council Military Liaison Skeet Von Harten, Beaufort Mayor Bill Rauch, Port Royal Mayor Sam Murray, along with other chamber and civic leaders expressed support for the Marine and Navy installations.

I'd like to thank the Secretary, the Sergeant Major, Lieutenant Phil MacNaughton and their staffs for making this visit so possible.

In conclusion, God bless our troops. We will never forget September 11th.

INCREASE IN CAFE STANDARDS

(Mr. HALL of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL of New York. Mr. Speaker, last week the Senate took historic action by approving the first meaningful increase in CAFE standards in over 30 years.

The Senate bill would raise the average efficiency of all cars on the road to 35 miles per gallon by 2020. The result would be dramatic relief for working families at the gas pump, significant cuts in demand for foreign oil, and the reduction of tailpipe emissions that lead to climate change and air pollution.

If we are serious about ending our dependence on foreign oil and combating climate change, we have to take real action on car efficiency. At a time when many cars on the road are already capable of meeting this standard, the consumers are voting with their dollars by buying record numbers of hybrids. We simply cannot wait.

By acting to raise CAFE standards to 35 miles per gallon, this House can take courageous action to meet some of the greatest challenges of our time, keep our domestic auto industry competitive, keep those jobs in these countries, and do not concede the efficiency market to foreign manufacturers.

I hope the House will take this visionary action.

DEMOCRATS WILL ADDRESS GLOBAL WARMING

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Mr. Speaker, did you know that our planet is showing the disconcerting signs of global climate change? That should serve as a wake-up call to all of us. Scientists have found that 11 and 12 of the warmest years on record have occurred since 1995. The water in our lakes and rivers has warmed, and ice is being lost in the Arctic Sea at unprecedented rates.

Steps should be taken to stop or reverse these trends as soon as possible, and the Democratic Congress is doing just that as a part of the Interior and Environmental appropriations bill.

The legislation includes provisions to focus our efforts on global climate change by establishing a commission of the government's top scientific experts tasked with identifying key areas of scientific research and empowering them with the resources to finance their work. It also provides for funding, over the President's request, for clean water funds, reducing diesel emissions, clean air grants, and ensuring that environmental laws and justice and regulations are followed.

Mr. Speaker, the Democratic Congress is committed to taking steps necessary to protect our natural resources and address global climate change. There's still time to save our planet.

WE MUST END THE WAR IN IRAQ NOW

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to add my voice to others who are calling for an end to the war in Iraq. We must end this war, and we must end it now. We cannot wait, and we must not wait.

Every month, every week, every hour, every minute, every second, every moment that another young American is killed, their innocent blood is on all of our hands. We have a moral obligation to bring this madness to an end. Nothing but nothing good can come out of this war. It is destroying Iraq and destroying the very soul of our Nation.

As Members of Congress, we must find a way to stop it and stop it now.

REPUBLICAN FISCAL MISMANAGEMENT WILL NOT SOON BE FORGOTTEN

(Mr. HODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HODES. Mr. Speaker, last week, Republican leaders sent a letter to the White House vowing to support the President's plans to veto essential legislation to protect our homeland, put thousands of new agents on America's borders, and invest in our country's priorities.

This sudden and newfound interest in fiscal responsibility is nothing more than hypocritical rhetoric. It does not match their actions or their record. Under Republican leadership, earmarks and deficit spending exploded.

For 6 years, Republicans and President Bush set the standard for fiscal mismanagement and turned record surpluses, created in the last years of the Clinton administration, into record deficits. And the President has refused to change course, once again proposing a budget for the upcoming year that does not find balance within the next 5 years.

Unlike the President's budget, the final Democratic budget blueprint brings us out of the red in the next 5 years, while also investing in critical homeland security initiatives. Instead of threatening to veto this essential legislation that the President claims is his top priority, President Bush should work with the Congress and sign this important legislation into law.

DAY OF SILENCE

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, many of the 70 million Americans who enjoy music over the Internet woke up and their music was silent today, and the reason, because of an outrageous decision by a Federal agency that caused outrageous increases of 300 to 1200 percent of the copyright fees that Internet Web broadcasters have to pay. And in protest of that outrageous decision, Web broadcasters today have joined together in a day of silence to let Americans know what's going to happen if Congress refuses to act to right this wrong.

And I call today on my colleagues who will be hearing and have heard from many of their constituents on this day of silence. I hope they will cosponsor H.R. 2060, the Internet Radio Equality Act.

The simple fact is, if we do not pass this bill, Web broadcasters are going to go out of business. Many of the 70 million Americans who enjoy music over the Internet will not get to listen to it.

Congress needs to act. It's the right thing to do. Let's pass this bill.

MOURNING THE LOSS OF CORPORAL CHARLES W. LINDBERG

(Mr. KLINE of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLINE of Minnesota. Mr. Speaker, I rise today to honor the memory of Corporal Charles W. Lindberg, and I offer my most sincere condolences to his family.

Mr. Lindberg, a fellow marine and fellow Minnesotan, was the last survivor of the six U.S. Marines who raised the first flag over Iwo Jima during World War II.

On the morning of February 23, 1945, Corporal Lindberg and his fellow marines made their way to the top of Mount Suribachi. At the request of their battalion commander, they placed an American flag at the summit.

Years later, as he reflected on that fateful day, Corporal Lindberg said, ''Down below the troops started to cheer, the ship's whistles went off, and it was just something that you would never forget.''

This was the first time a foreign flag was flown on Japanese soil. The moment was captured in a photo by Sergeant Lou Lowery. This event, along with the famous photo made by Joe Rosenthal of the second flag raising, became a symbol of courage and victory in our country.

Just weeks after the flag raising in Iwo Jima, Corporal Lindberg was injured in the line of duty. For his bravery, he was awarded a Purple Heart and the Silver Star.

Mr. Speaker, in this Chamber we often speak of service to our country. Corporal Lindberg's story is a symbol for generations on the importance of service and duty.

After his retirement, Corporal Lindberg spoke to hundreds of veterans groups and student groups, inspiring all who heard him. He is much loved and admired by those who knew him.

God bless the Lindberg family, and God bless America.

RESPECTED REPUBLICAN PULLING AWAY FROM THE BUSH ADMINISTRATION ON WAR IN IRAQ

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, yesterday, an influential Republican voice on foreign affairs admitted that the war in Iraq is doing more harm than good and that, I quote, ''Our course in Iraq has lost contact with our vital national security interests in the Middle East and beyond.''

Those are the words of Republican Senator RICHARD LUGAR of Indiana, who went to the Senate floor last night to say that changes in strategy need to be made before September. LUGAR's comments should be listened to very carefully by my Republican colleagues who continue to hold out hope that the President's troop escalation strategy can work.

Senator LUGAR is just the latest to admit that the President's plan is not working and that a new strategy is needed in Iraq. Last week, General Petraeus himself said that we will not meet the target of seeing any positive results from the troop escalation plan by September.

Now, Senator LUGAR's realistic assessment of the war in Iraq is commendable, but words are simply not enough. If LUGAR is convinced that the war in Iraq is no longer in our Nation's best interest, he must join us in finding an alternative that begins to bring our troops home.

TRIBUTE TO THE MEMORY OF MARINE SERGEANT SHAWN MARTIN

(Mr. MCNULTY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNULTY. Mr. Speaker, I rise this morning to salute and pay tribute to the memory of Marine Sergeant Shawn Martin, who gave his life in service to his country in Iraq. He died on June 20. His funeral will be on Thursday morning.

Sergeant Martin's death is a reminder to all of us that, regardless of how we feel about this particular war, that young men and women across our country put on the uniform of the United States military and are willing to go anywhere in the world at the direction of our government to protect American interests.

It reminds me not to let even a single day go by without remembering with deepest gratitude all of those who, like my own brother, Bill, made the supreme sacrifice, all those like Shawn who made the supreme sacrifice, and all of those who serve in the military with great honor and then come back home, render outstanding service in the community and raise beautiful families to carry on their fine traditions. These are the things that I'm most grateful for today as a citizen of the United States of America.

So today I extend my deepest sympathies to Shawn's wife, to his parents, to all the members of his family for his tremendous service to our country for making the supreme sacrifice, and we shall never forget this true American hero.

PROVIDING FOR CONSIDERATION OF H.R. 2643, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 514 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 514

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 2643 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington, my namesake and good friend, Mr. HASTINGS. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Mr. HASTINGS of Florida. Mr. Speaker, I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 514.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, House Resolution 514 provides for consideration of H.R. 2643, the Department of the Interior, Environment and Related Agencies Appropriations Bill for Fiscal Year 2008. It is an open rule, and allows all Members the opportunity to amend the bill.

□ 1030

Mr. Speaker, the funding levels in the underlying bill make clear the change in priorities of this new Democratic Congress. This bill refocuses our Nation's priorities to ensure that all Americans have access to clean water and air as well as appropriately addressing climate change and conservation, all of which have not been seen since Democrats last controlled this body in 1994. Democrats are restoring our obligation to the American people to protect and preserve the land and shores and all creatures who inhabit this Earth.

I commend Chairman DICKS and Representative TIAHRT for their hard and, perhaps most importantly, bipartisan work on this legislation. I do believe that they did a tremendous job in crafting this bill.

This bill restores our promise to America's underserved minority communities and to our children to ensure that our cherished land, water, and air will be preserved for generations to come. I commend the committee for including funding for important environmental justice programs I have long advocated for such as $1.1 billion for the Clean Water State Revolving Fund. This is $437 million above the administration's request and will help over 150 communities with drinking water and wastewater infrastructure projects.

The bill also includes $140 million for sewer and water grants, which received zero funding in 2007 and was not in the President's budget request this year. Further, this legislation provides $16 million for rural water technical assistance that was also zeroed out in the President's budget request. We are ensuring that all communities have clean and safe drinking water.

The underlying legislation also includes limitation language that I authored in the 109th Congress, ensuring that EPA respects the needs of environmental justice communities. It appropriate $7 million for environmental justice programs, the amount that Congresswoman HILDA SOLIS, I, and others requested. This is $3 million over the administration's budget request and $2 million over fiscal 2007 levels.

This bill provides much-needed funding for our national parks and wildlife protection. The legislation includes $2.5 billion for our national parks, $223 million above the 2007 levels.

Democrats are appropriating $1.4 billion for the Fish and Wildlife Service, $86 million above 2007 levels and $130 million above the President's budget request.

Ladies and gentlemen, our national parks have been shortchanged for too long. This funding will be used for critical maintenance and repair, conservation, and recreation, and for the preservation of our natural heritage.

Importantly, the underlying legislation maintains the longstanding Presidential and congressional moratoria on drilling for natural gas on the Outer Continental Shelf. The committee rightly rejected attempts to permit drilling to occur off the shores of coastal States, including my home State of Florida, and I am sure my colleague from Tampa (Ms. CASTOR) will speak more specifically to that issue during her time on the rule. In doing this, we continue to protect and preserve the health of Florida's beaches and tourism industry, the largest industry in our State.

Amendments may be offered today on the floor that will seek to strip Florida and other coastal States of their protections. I urge all of my colleagues to do what is right for our Nation and reject such amendments. Drilling for natural gas on the Outer Continental Shelf will have zero impact at the gas pumps. It will not under any circumstances reduce the cost of a gallon of gasoline.

This legislation offers a more forward thinking approach to our Nation's energy needs. Instead of looking for short-term, short-sighted solutions, Democrats have a smarter, long-term energy strategy. For starters, Democrats have increased funding for programs such as the global climate change research, providing $10 million above the President's request for new research on global climate change and its impact on rivers, groundwaters, and on organisms.

The bill also increases our investment in energy conservation and alternative fuels and research capabilities by nearly 60 percent. What a difference a change in Congress does make for our Nation.

Critically important to my district and to the entire State of Florida is restoration of America's Everglades, one of the most biologically diverse areas in the world and a unique and world-renowned eco-region. The Everglades is one of the Nation's most fragile ecosystems and remains an area of national and international significance. Increased funding to advance this restoration initiative ensures that the Federal Government keeps its commitment to the River of Grass, the largest environmental rescue in the world. Chairman DICKS and Representative TAYLOR, in my judgment, should both be applauded for their continued effort to restore and preserve this pristine ecosystem.

Democrats also take significant steps to finally work to fulfill our promise to our neglected Native American communities. In all, the bill provides almost $250 million more in funding for Native American health care and education opportunities than last year.

This legislation truly provides for each and every one of us. By investing in the health of America's natural resources, we are investing in the future of this majestic country.

Finally, Mr. Speaker, later today I intend to offer an amendment that would designate $1 million for grants for the National Underground Railroad Network to Freedom, the only national program dedicated to the preservation, interpretation, and dissemination of underground railroad history. I urge my colleagues to support this important amendment.

I am pleased to support this rule and the underlying bill, and I urge my colleagues to do the same.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my good friend and namesake, Mr. HASTINGS, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, the Rules Committee heard testimony nearly 2 weeks ago from my good friend and colleague from Washington, Subcommittee Chairman NORM DICKS and the Ranking Member TODD TIAHRT of Kansas. When they appeared before the Rules Committee, concerns were raised that the bill at that time did not include a list of earmarks or earmark sponsors and that no Member could challenge, discuss, and call for a vote on earmarks on the House floor.

Fortunately, Mr. Speaker, Republicans succeeded in forcing the Democrat majority to restore the earmark transparency and enforceability rules that they had changed at the beginning of this Congress, and now spending bills are being brought to the floor with earmarks where they can be discussed, debated, and voted upon, as they should be.

Mr. Speaker, I am pleased that the fiscal year 2008 Interior and Environment Appropriations bill that we will consider today contains a list of earmarks and the names of the sponsors of those earmarks. This means that Members will have the opportunity to review them before casting their vote on the House floor and not just see them added months from now, as was previously tried.

Mr. Speaker, the Central Washington area that I represent covers more than 19,000 square miles, much of which is controlled and managed by the Federal Government. The Federal agencies funded in this bill directly impact those that I represent on a number of levels. When storms and mudslides wipe out trails and roads, it affects not only my constituents that enjoy camping, hiking, and hunting on public roads, but also visitors to the area and the local businesses that rely on tourism. When invasive species, plant pests, and wildfire threats are not adequately controlled on Federal land, the problems do not stop at the property line.

I think I speak for many Western Members of the House when I talk about the huge stake we have in the general direction of the agencies funded under this bill. For this reason, Mr. Speaker, I am concerned that at a time when Federal land agencies struggle to manage the land they now have, this Congress would provide tens of millions of dollars for the Federal Government to buy up more land. This takes private property off the tax rolls and leaves county governments with a heavier burden to pay for emergency services, roads, and schools.

I have stood on this floor before to discuss the importance of another program, the Secure Rural Schools program, which compensates local governments that are negatively affected by Federal forest land policy and ownership and the virtual shutdown of the Federal timber program over the last 15 years. We need to get the Secure Rural Schools program reauthorized and we need to get the Payment in Lieu of Taxes program fully funded for the long term before we start spending millions of dollars adding more and more land to the Federal estate.

Finally, I want to express my concern about the overall increase in spending that this bill represents. I know that the chairman of the subcommittee and the ranking member worked very hard to try to manage the many demands for funding under this bill. However, this bill represents a $680 million increase over last year. As I have said previously with respect to other appropriation bills this year, we simply must rein in spending in order to prevent the massive tax increases that the Democrat majority is poised to impose, as reflected in their budget.

Congress must work for balancing the Federal budget in 5 years. There are two ways to balance the budget, whether it is your family budget or the Federal budget. You can either, one, reduce the amount of money being spent or, two, increase the amount coming in. This bill highlights the Democrat majority's allegiance to option number two: spending more money each and every year and at a rate faster than inflation, while relying on tax increases to balance the budget down the road.

Mr. Speaker, we don't need a bigger Federal Government. We need a balanced approach that holds the line on spending; provides for our Nation's most fundamental priorities; and allows taxpayers to keep more of their hard-earned money to spend, save, and invest as they see fit.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 6 minutes to my good friend

and member of the Rules Committee, the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR. Mr. Speaker, I thank my colleague from Florida (Mr. HASTINGS), who has been an outspoken advocate for environmental justice for this great country and a strong supporter of Everglades restoration. So I thank the gentleman.

Mr. Speaker, our natural environment and clean neighborhoods are vital to the health of the folks that we represent back home. This bill, and the rule, contains much to recommend it to the American people. But I rise in support today because my community, the Tampa Bay area, will benefit greatly due to the new investments being made under the leadership of this new Democratic Congress.

See, our communities have suffered over past years while environmental agencies were infiltrated by industry lobbyists. That was a strategy of this White House, unfortunately. And some in past Congresses whittled away at environmental protections.

□ 1045

Well, we're going to begin to turn that around today and repair America's natural environment and the public health so we can breathe easier.

First, we will make new investments in clean air and clean and safe drinking water. We know that the rate of asthma in children is rising in America, and this bill will help our communities get back on track with enforcement of the Clean Air Act.

On clean water, the residents of the cities of Tampa and St. Petersburg have benefited greatly over the years due to the Clean Water Act and the State Water Revolving Loan Program because my communities have been able to repair sewers, and in my hometown, clean up Tampa Bay and make it safer for swimming, boating, and fishing. But we have more work to do. The National Estuary Program portion of this bill will help, as the bill provides greater assistance to local communities to improve water quality in our national estuaries like Tampa Bay.

I also hope the committee will look favorably upon an amendment relating to the red tide that is affecting the physical environment of our coastal communities and causing respiratory ailments at a time when folks are trying to enjoy their vacation at the beach.

Urban communities like mine also need assistance in cleaning up toxic waste sites and Superfund sites. As a former county commissioner back home, I understand the value of cleaning up old brownfield sites so they do not remain as blights on the community. Oftentimes these polluted industrial sites are located in communities of modest means. So I salute the committee and Chairman DICKS for his commitment to environmental justice to ensure that environmental decisions do not adversely affect minority populations.

This bill also charts a new direction on global warming as well by increasing climate change scientific research, including attention to coastal communities to help us determine how we can best adapt to a warming planet.

This act and rule also provides long overdue funding for our national parks, including the beautiful Florida Everglades. Thanks to Chairman DICKS and the committee for stepping up our efforts to ensure that these valuable environmental resources are protected.

One final issue: this bill maintains the long-standing moratoria on oil and gas drilling off our beautiful gulf coast beaches. Now, I expect that the oil and gas lobby will take a run at this protection today, and I urge my colleagues to hold firm.

In Florida and in other coastal States, drilling threatens our environment, it threatens our health, and it threatens our economic livelihood. Instead of risking our critical coastline for short-term gain, the new Democratic majority is pursuing a long-term energy strategy by investing in energy conservation and alternative fuels.

Granting oil and gas leases and access to our coastline is not the solution to our energy crisis. The current leases that oil and gas companies exploit far off the coastline exist with the help of taxpayers. Allowing drilling closer to our coastline is simply a way for oil and gas companies to maximize their profits. Such actions will have no effect on either the cost of gas or on the future of our energy needs.

I urge my colleagues to beat back this scheme of the oil and gas lobby today, their attempt to kill a ban on coastal drilling that was enacted in response to a 1969 oil and gas bill that blackened 35 miles of California's coast.

Instead of drilling for limited resources, the country needs an accelerated program for alternative fuels, and Congress needs to investigate the oil companies' unseemly profits.

I urge my colleagues to support this legislation and the rule. I salute the leadership of Chairman DICKS, and I thank Ranking Member TIAHRT. This legislation will protect our environment and our public health and focus on renewable energy solutions that are vital to the State of Florida and the future of our great Nation.

Mr. HASTINGS of Washington. Mr. Speaker, at this time I'm pleased to yield 5 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

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

Mr. NEUGEBAUER. Mr. Speaker, I rise today on behalf of the American taxpayers in opposition to this rule.

A couple of weeks ago we had a lot of debate on this floor about earmarks. At the end of this agreement we were able to have a process that's more open and transparent for the earmark process, and so that was a victory for the American taxpayer. However, it's worth noting that when you look at the spending, for example in 2005, earmark spending was less than 1 percent. So even though the battle was won on earmarks, the war is still on against overspending of the American taxpayers' money.

There are many causes for overspending in this country today, and one of those is the entitlement programs. Those are programs, unfortunately, that this body doesn't even get to vote on. And the fact that the new majority's budget now has an additional discretionary spending of $20 billion does not help the spending problem at all.

I would argue that Congress is failing at another very important issue as well. According to a CQ Weekly article recently, $100 billion in appropriations this year that we will make aren't authorized. Now, the American people know what ''authorized'' means. If you go down and open up a checking account, people want to know if you're authorized to sign on that account. If you get a credit card, certain people are authorized to use the credit card. I wish we were using a checking account for the American taxpayers, but unfortunately we're using a credit card.

What we're going to have in this bill today, the Interior EPA appropriations bill, is $7.29 billion that's not authorized. What does that mean? That means that the committees of jurisdiction have chosen either not to authorize this spending or to reauthorize this spending, yet the appropriation process is going to go ahead and spend $7.29 billion of the American taxpayers' money. Let me tell you where some of that unauthorized money is going to be distributed; $160 million to the National Endowment of the Arts was last authorized and it expired in 1993. The authorization for this expired in 1993. $1.8 billion of discretionary programs for the Bureau of Land Management. That authorization expired in 2002. $10.5 million for EPA State and Tribal Grants to Alaskan Native Villages. Authorization for this spending expired in 1979. These projects aren't on autopilot. In fact, there is not even a pilot in the cockpit. These are programs that no one has chosen to reauthorize in a number of years.

As Members of Congress, we're entrusted to spend the taxpayers' money wisely. Congress is supposed to continually review these policies and programs to determine, one, are they working; secondly, do they need to be improved; or, third, should they be eliminated altogether.

Get this: House rules require appropriations to go through the authorization program, yet each year the Rules Committee chooses to waive points of order authorizing spending. In other words, that means we have rules in this House to protect the American taxpayer by saying we're not going to fund projects that aren't authorized. But what is the first action that we take? We waive the rules. This is a practice

both Republican and Democratic Congresses are guilty of. However, I think it's important to point out this shortcoming as we go into this very important legislative process.

Now, some might argue, well, Congress is just too busy, doesn't have enough time to review all of these program. Well, quite honestly, if these programs aren't important enough for Congress to take the time to review them to determine whether they should be continued to be funded or if they're relevant today, we probably shouldn't be sending billions of dollars of the taxpayers' money for those programs. And to the argument, well, we're too busy, well, we haven't been too busy in the first 6 months of this Congress. In the first 6 months of this Congress we've authorized $828 billion in new programs. So if we have time to authorize $828 billion in new programs, it looks like to me we have time to go through these programs that are going to be funded today in this bill that are unauthorized.

Clearly, Congress needs to do a better job. The first thing Congress needs to do is follow the rules. These were rules that were put in place to put checks and balances on how we spend the American taxpayers' money. And so I would encourage our Members today to vote against this rule and for Congress to follow its own rules, and that is, to make sure that we do not fund unauthorized projects.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding to my good friend on the Rules Committee, let me clear up something for the American public.

Mr. DICKS and Mr. TIAHRT, in a very responsible manner bringing this appropriations measure to the floor, had to work assiduously to ensure that this is a bipartisan effort and that we are being proper stewards of the environment. There is no question, I don't believe, that anybody can say about that.

But I've listened now for a considerable number of days about the hammering of earmarks. Now, I'm not here as an apologist for anybody, but I think something needs to be understood that is not clear in the minds of many, particularly in the American public because of the confusion that has been put forward by my colleagues on the other side. Let me use as a ''for example'' in this particular measure some of the so-called earmarks that I say are needed in these communities. And I go specifically to Florida and specifically to Republicans who work on this floor with me.

I support the city of Sarasota's water system placement that Congressman BUCHANAN asks for. I support Congressman CRENSHAW's town of Callahan for the wastewater treatment plant. I support the fourth-ranking member of the Republican Party's request for the city of Brooksville Southwest Florida Water Management District for the Peace and Myakka Rivers. I have fished in those rivers. I have seen them be damaged. They are nowhere near the district that I am privileged to serve, but I support that particular effort of Congressman PUTNAM.

I support the city of Clearwater for wastewater and reclaimed water infrastructure. I have been in Clearwater when it was flooding and the people had problems in that area. That's offered by Mr. YOUNG, the former appropriations Chair, and Mr. BILIRAKIS. Enough already, colleagues. These people need this environmental protection. They need these water treatment facilities. They need the things that Mr. DICKS and Mr. TIAHRT have worked out. And it's wrong for folks to come down here and to try to give the American public the impression that because somebody that is sent here for the purpose of trying to use the budget for the purposes of protecting the environment and the American people, that they have done something wrong.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Vermont, my good friend who is on the Rules Committee (Mr. WELCH).

Mr. WELCH of Vermont. I thank the gentleman from Florida and for his ringing endorsement of public spending for public projects.

Two things: first, Democrats readopted in this Congress the principle of pay-as-you-go, acknowledging that we have to pay our bills, and that good intentions are not enough to balance the budget. We will do that as we did before. But in this bill we are proposing to spend 7.5 percent more than the President asked for. And the reason? That spending is necessary and required if we're going to protect the rivers, the waterways, the air and the land of this great country.

Second, the spirit of Teddy Roosevelt is alive and well in this bipartisan bill by Mr. DICKS and by Mr. TIAHRT. We are getting back into protecting the America that we are responsible to hand down to the future. This bill, a bipartisan bill, appropriates $266 million for climate change research across all Federal agencies. This bill creates a commission on Climate Change Adaptation and Mitigation that will review scientific questions that need to be addressed to adapt to global warming and to recommend action. This investment in furthering our understanding of the impacts of climate change is a down payment on our future. If there has been a debate about whether global warming exists, this bill puts an exclamation point that the bipartisan conclusion of Congress is that global warming is real, is urgent, and requires immediate attention.

The spirit of Teddy Roosevelt is also alive and well in this bill in the Forest Legacy Program. And thank you, Mr. Chairman and Mr. Ranking Member. The Forest Legacy Program brings communities together, protecting their forests. In my own State, two very small towns of Fairlee and West Fairlee have been working hard contributing their own money to protect their Brushwood Forest. The increase in the Forest Legacy Program, something that's been overdue, is going to give them a fighting chance to be able to do that.

The spirit of Teddy Roosevelt is alive and well in the bill's commitment to water quality. The Clean Water State Revolving Fund provides all of our States resources for local sewage treatment projects, one of the most important investments in the country towards public health.

□ 1100

The spirit of Teddy Roosevelt is alive and well in the self-help efforts in this bill in the small amount of money, $16 million, that provides for rural water technical assistance. This helps small communities across the State of Vermont and across the country get the technical assistance that they need in order to do locally what is required for the benefit of their own citizens.

Mr. Speaker, I thank the gentlemen on both sides of the aisle for their leadership in this overdue legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I would like to engage in a colloquy with my colleague from Washington, the chairman of the subcommittee.

As the chairman is aware, I have been concerned for some time with the issue of Federal land acquisition due to its effect on local tax rolls. Many of the counties that I represent are heavily federally owned. Some of them have strong reservations about Federal land acquisition.

I would like to say a word or two specifically about the Columbia River Gorge National Scenic Area. As the chairman knows, I represent the northeastern part of the scenic area. The Columbia River Gorge National Scenic River Act, passed by Congress in 1986, authorized $40 million for land acquisition, $10 million for economic development grants, and $10 million for recreation grants for the scenic area. I am concerned that even though it has been 20 years since the Act was passed, the economic development and recreation accounts have yet to be fully funded. Meanwhile, the Forest Service has spent more than $55 million on land acquisition in the Columbia River Gorge National Scenic Area. I believe we should make it a priority to fund the economic development and recreation accounts as envisioned under the Act.

Mr. Speaker, I am happy to yield to Chairman DICKS for his comments.

Mr. DICKS. Mr. Speaker, I thank the gentleman for yielding.

I share your interest in seeing that the economic development and recreation accounts under the gorge act are fully funded. I will be happy to work with you on this issue which is so important to the communities in your scenic area.

Mr. HASTINGS of Washington. Mr. Speaker, reclaiming my time, I appreciate the chairman's remarks. I also

noted that the committee report includes $1 million for land acquisition in the Columbia Gorge National Scenic Area requested by our colleagues, Mr. BLUMENAUER of Oregon and Mr. BAIRD of Washington. I would like to clarify with the chairman that it is not his intent that these funds would be spent on land acquisition in the part of the scenic area that I represent.

Again, I would be happy to yield to the chairman on this question.

Mr. DICKS. That is correct. The earmark in the committee report is for land acquisition in areas of the scenic area represented by the two gentlemen who requested the funding.

Mr. HASTINGS of Washington. I thank the chairman. I appreciate very much your comments. I look forward to working with you on issues related to the implementation of the Columbia River Gorge National Scenic Act.

Mr. Speaker, yesterday the Rules Committee, by a voice vote, approved an open rule for the consideration of the Department of Interior, Environment and Related Agencies Appropriation Act. I am pleased that this rule keeps with the longstanding tradition of allowing an open debate on spending bills. I support House Resolution 514.

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

Mr. HASTINGS of Florida. Mr. Speaker, the underlying legislation moves our country in a better direction, providing improvements long overdue to our entire Nation. Our investments today will ensure that our children and grandchildren will have water and air that is cleaner, natural landscapes and historic structures that are protected, and arts and humanity centers that are bolstered.

This bill fulfills past due obligations to our underserved communities and to our entire planet. Republicans in the last Congress and in the current administration have continued to fail to effectively fund the environmental and conservation needs of the American people and its natural resources.

Today, under the Democratic leadership, we are reversing this trend and restoring funding to vital programs and agencies, fulfilling our promise to this Nation and to this Earth. The investments this bill makes are of vital importance today, and their benefits will be felt for years to come.

I urge a ''yes'' vote on the previous question and on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DICKS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2643, and that I may include tabular material on the same.

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

There was no objection.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 2643, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. DICKS. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 2643 pursuant to House Resolution 514, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

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

There was no objection.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 514 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2643.

The Chair designates the gentlewoman from Ohio (Mrs. JONES) as Chairman of the Committee of the Whole, and requests the gentleman from New York (Mr. MCNULTY) to assume the chair temporarily.

□ 1106

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. MCNULTY in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. DICKS) and the gentleman from Kansas (Mr. TIAHRT) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have waited 30 years for the honor of presenting an Interior and Environment bill to the House of Representatives as subcommittee chairman. I am very proud to present H.R. 2643 to the committee as my first Interior appropriations bill.

The bill includes $27.6 billion for the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service and Related Agencies under this Subcommittee's jurisdiction. This is an increase of $1.193 billion over the 2007 enacted level, or about a 4.3 percent increase.

Mr. Chairman, the recommendations reflected in the 2008 Interior bill are the product of a very deliberate and bipartisan process. Our Interior and Environment Subcommittee held 38 separate hearings over 3 months with more than 250 witnesses. The printed record of these hearings is included in eight volumes, totaling over 10,000 pages.

During these hearings, we heard from agency officials, Members of Congress and more than 100 Tribal leaders and other public witnesses. This testimony made it clear that substantial increases in environmental and conservation programs were badly needed. These sessions also highlighted the critical health and education needs in Indian country.

While the Office of Management and Budget and other Members of the House may criticize the overall size of the bill, I do not know of one increase in this package which can't be fully justified based on need or on the ability to spend the money wisely. Frankly, I don't think I have to remind Members that this bill started in a deep hole created more than a decade ago.

As Members have heard me say many times, and as this chart clearly demonstrates, in our hearings and other statements on the floor, between 2000 and 2007, based on OMB's own tables, funding for the Interior Department fell 16 percent in real terms. EPA has been reduced by 29 percent, and the Forest Service nonfire budget by 35 percent when adjusted for inflation. Given that history, I believe the 4.3 percent increase in this bill is well justified.

I might just mention that one of the most important powers that Congress possesses is the power of the purse. This is in the Constitution. This is one of Congress' major authorities and one way we can check the actions of the executive branch.

Now, while I do not go into all the details, a few of the increases and decreases deserve special mention this morning.

□ 1115

The bill provides a $223 million increase for our national parks, as proposed by the President, for the 10-year, $3 billion Centennial Challenge effort to restore the parks for the 100th anniversary of the founding of the Park Service in 2016. The additional funds will support 3,000 badly needed new seasonal employees and 590 year-round staff. We also provide $50 million of discretionary funds for Centennial Challenge projects to be matched by private funds. These funds will support enhancements at our parks beyond the funding necessary for core operations.

We provide a $56 million increase for our national wildlife refuges, a 14-percent increase above the fiscal year 2007

enacted level. This will reverse the current staffing shortfall problem on our refuges, which have lost almost 600 staff members since 2004.

The bill provides a total of $5.7 billion for programs serving Native Americans. This is $235 million over the President's request for the Bureau of Indian Affairs and the Indian Health Service. To address one of the biggest issues facing Indian country, Mr. TIAHRT and I have added $35 million above the request for a methamphetamine prevention initiative that spans both the BIA and the Indian Health Service.

The bill provides $2.8 billion for wildfire programs, an increase of $200 million over the current level. The President's budget had proposed more than $100 million in reductions in critical fire preparedness activities, which I believe both sides of the aisle considered completely irresponsible. The bill restores those cuts and provides an increase of $163 million over FY 2007 for wildfire suppression. As we see on television every day, and particularly out in the Lake Tahoe area, this year's fire season is shaping up to be one of our worst. The funds in the bill are the minimum necessary for the wildfire program.

We have also restored basic funding for the Forest Service, providing a total of $2.6 billion for the non-fire programs, which is $92 million above 2007 and $355 million above the President's request. This maintains important science, cooperative forestry programs, and land management, and also includes $65 million for a new Legacy Road and Trail Remediation Program to repair damaged roads and decommission those that receive little use, particularly in areas where we have many endangered species.

We have provided over $8 billion for the EPA, roughly a $900 million increase over the President's completely inadequate request. As Members know, the President had proposed more than half a billion dollars of cuts for the agency. We restore most of the cuts and provide a number of critical increases. Those include a $437 million increase above the request for the Clean Water State Revolving Fund, $52 million above the request to clean up toxic and hazardous waste sites, $220 million for Clean Air State grants, $140 million for sewer and water grants in local communities, and $50 million for the new diesel emission reduction program.

This bill recognizes the importance of protecting and restoring a number of our Nation's most important water bodies by providing an increase of $65 million above the President's request for the Chesapeake Bay, the Great Lakes, Long Island Sound, Puget Sound, and 28 estuaries funded through the National Estuary Program and other grants for other targeted watersheds.

The bill provides an increase of $50 million for our cultural agencies to get them partially back to where they were in 1994. The National Endowment for the Arts will get a $35 million increase to $160 million and the National Endowment for Humanities would get an increase of $19 million for a total of $160 million.

One of our witnesses this spring, actress Kerry Washington, described the role of the arts in offering her a world beyond her inner-city neighborhood and giving her ''something to reach for and something to reach with.'' Hopefully, the money in the bill for the NEA and the NEH will give other young people the same kind of inspiration and opportunity.

Mr. Chairman, I want to draw special attention to our recommendations with regard to climate change. It is now clear that global warming is occurring and that its effects will likely alter how we live in very serious ways. This reality was confirmed at hearings held by the Interior Subcommittee in April where witnesses from the Interior Department, Forest Service and other agencies described climate-related changes already occurring on the Nation's public lands. These impacts include increased wildfires, changing precipitation and water availability patterns, increasing presence of invasive species, changing migratory patterns for many animals and birds and significant loss of habitat for many species.

In response to this challenge, the subcommittee has made a series of recommendations.

First, we included in the bill the same Sense of Congress resolution on climate change which I offered last year and which was accepted by the Appropriations Committee during the 109th Congress. This appears as title V of this bill. It recognizes in statute that climate change is a reality, that human activity contributes to it in significant ways, and that this country must take action to address this very serious problem.

Second, the bill provides $264 million for various climate change activities throughout the bill, an increase of $94 million over the 2007 level; $199 million is provided for EPA climate programs; $67 million for the Department of the Interior, principally for the U.S. Geological Survey; and $22 million for the Forest Service.

Third, we set aside $2 million for the EPA to begin to develop the framework for regulation of greenhouse gases. The Supreme Court ruled in April that the agency has the authority to regulate greenhouse gases under the Clean Air Act. This bill does not mandate the form of these regulations or set a specific deadline for producing the final regulation, but in law it says the process must begin in earnest during 2008.

Lastly, we establish a new temporary 2-year Commission on Climate Change Adaptation and Mitigation and appropriate $50 million for its work. This commission will be chaired by the president of the National Academy of Sciences, Dr. Ralph Cicerone, a world-renowned authority on climate change, and will focus on the science issues related to how the world adapts to the reality of climate change. Its role is essentially that of a public-private advisory committee to identify the highest priorities for climate science investment for 2008 across the government. $5 million is provided to cover the cost of the commission for 2 years, with the remaining $45 million to be distributed to jump-start climate science at the various Federal agencies.

In summary, the message of this bill with respect to climate change is it is time to quit talking about the problem and start doing something about it.

Members should understand that this bill is not all increases. The subcommittee bill includes reductions below the 2007 level totaling over $400 million. This includes $135 million cut from construction programs throughout the bill and termination of a number of programs, including the Land Owner Incentive Program and Private Stewardship Program at the Fish and Wildlife Service.

Mr. Chairman, as Members know, consideration of this bill was delayed for a while as the committee complied with the agreement to include Member projects in committee reports prior to bills being considered on the floor of the House. House Report 110–187, part 2, filed on June 22, fulfills this requirement. This report lists 228 projects requested by the Members of the House with a total cost of approximately $114 million. The financial disclosure certifications for these projects have been made available to the public, and we believe the filing of the report meets all requirements under clause 9 of rule XXI.

Mr. Chairman, I want to emphasize that the $114 million in this bill for projects constitutes only four-tenths of one percent of the roughly $28 billion in this bill. When Senate projects are counted later, the total allocated to such projects will be less than 1 percent, or roughly eight-tenths of one percent.

As I said during the consideration in the full committee last week, many Members will, unfortunately, be disappointed by the project list included in this report. Based on the agreement reached earlier this year with House leadership, funding for Member projects has been reduced by 50 percent compared to funding for similar projects in 2006.

Because of this requirement to reduce funding for projects, Mr. TIAHRT and I agreed to concentrate limited funding, with a few exceptions, on critically needed water and sewer infrastructure grants and historic preservation grants. These are the two areas where we get the most requests. Projects requested in these areas were individually reviewed on a nonpartisan basis by our joint staffs working together to ensure that each project was fully justified based on both the quality of the proposal and the needs of the

communities. In the end, however, due to the limited amount of funding, hundreds of worthwhile projects could not be accommodated. I wish we could have done more, but this is the hand we were dealt.

I would just add to that, when Christine Todd Whitman was the head of the EPA, she said the backlog on these sewer infrastructure projects was $388 billion. So we are spending $140 million. It is just a little dent in this huge requirement that we have out there.

Mr. Chairman, before yielding to other Members for remarks, I want to say how much I have enjoyed working with Mr. TIAHRT as the Interior and Environment Subcommittee's new ranking member. We sat together for over 100 hours of hearings over 3 months, and we have met together privately with many of the agencies. It has been very hard work, but I think because of these efforts, we have a very good bill which should be supported by every Member of the House. I look forward to many years as chairman working with Mr. TIAHRT as my ranking member, or vice versa.

I also want to recognize the hard work of our exceptional staff on both sides of the aisle who have worked together as a bipartisan team throughout this process. I want to mention the staff: Mike Stephens, Chris Topik, Greg Knadle, Delia Scott, Beth Houser and Martin Brockman on the majority; Deb Weatherly, Dave LesStrang and Steve Crane for the minority; Pete Modaff and Kelli Shillito on my personal staff; and Amy Claire Brusch on Mr. TIAHRT's staff.

Before I finish here, I just wanted to say that I am very proud of this bill. I think it is a good bill; and as, Mr. Natcher said, it is a good bill and everybody ought to vote for it.

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

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Chairman DICKS is to be commended for the reasonable manner in which he has conducted the business of the Interior Appropriations Committee and the personal consideration he has given me in my role as ranking member. It is a reflection of the experience he received while waiting 30 years to become chairman. We should all recognize the patience and expertise that Mr. DICKS brings to the floor of the House.

Mr. Chairman, the subcommittee's work this year has been a bipartisan collaborative effort. But in spite of the comity reflected in much of the subcommittee's work, the minority does have genuine policy differences with the Democratic majority and a divergence of views over the level of funding necessary to address the critical needs of this bill.

Our 38 subcommittee hearings revealed many unmet needs and urgent priorities. Still, while we have an obligation to be good stewards of our Nation's environment and public lands for future generations, we also have an obligation to be good stewards of our tax dollars. In that respect, I believe this legislation falls short.

The 302(b) allocation for this bill is $27.6 billion, a $1.9 billion increase over the President's budget increase and a $1.2 billion increase over the enacted fiscal year 2007 Interior bill. The enacted fiscal year 2007 Interior bill itself was $400 million over what the House passed last fall.

The initial subcommittee allocation, which was $858 million above the fiscal year 2007 enacted level, though very generous, would have resulted, I believe, in a better, more balanced bill. The additional $335 million added to the subcommittee's already charitable allocation is simply unnecessary, and, more importantly, unsustainable. No matter how well-intentioned, this overly generous allocation will cause many of the same problems down the road that this subcommittee has been trying to resolve in recent years, namely, huge backlogs in operations and maintenance.

The circumstance is, in many respects, similar to the homeowner who receives a big bonus and uses these extra funds to buy a bigger house for his family. The bigger bonus is welcome and unexpected. Buying a bigger house seems like a great idea at the time. But down the road he realizes he can't depend on getting a bonus every year, and he finds himself unable to afford living in this new house. He, like this subcommittee, risks becoming overextended and unable to pay the bills. The difference is the homeowner goes bankrupt and a new owner takes over. The government fails to keep up with the new property, and the property soon becomes listed on a maintenance backlog.

It is human nature that we want to create new programs to build new structures, to buy new land. Yet it seems no one worries about the future cost of maintaining them. Over the years, this subcommittee has learned through good oversight that too little money can do real harm. The same is true for too much money.

We believe that the subcommittee should strive for a balance, and that is precisely what the original subcommittee allocation achieved. We ought to provide enough money to allow the agencies to carry out their primary mission. We should focus on taking care of what we presently have in the public trust. We have to give careful, thoughtful consideration before purchasing something new. Again, we must strive for balance. As this bill goes on to conference with the Senate, I am hopeful that the majority will be sensitive and responsive to this challenge.

In many areas this legislation has achieved balance. I applaud Chairman DICKS for his focus on the operating accounts within this bill. There has clearly been an erosion in this area, due in part to the absorption of the pay and fixed costs over the years. However, I believe the subcommittee should move more cautiously in providing funds for new land acquisition and construction. While there are high priority needs in these areas, it is important that we focus on the core mission of these agencies and not become overextended.

The subcommittee risks creating a larger problem down the road by hastily expanding current areas that we cannot oversee or creating new ones that we cannot maintain. Many will recall that when Congress provided these agencies with too much funding too quickly in the early to mid-nineties, they lost focus. The result was a huge backlog, redundant programs and large unobligated balances, many of which still remain, and numerous operational shortfalls. Our job is to provide for core needs, be vigilant about oversight, and avoid the mistakes of the past.

I recognize that Chairman DICKS and Chairman OBEY have a special place in their heart for the great open spaces of this country, and I know that they appreciate the grandeur of our national parks; and I join both chairmen in support of the $198 million increase in the operations budget for the National Park Service.

I am also very pleased with the needed attention in this bill that it provides to the Native Americans. There are many unmet needs in Indian country, in education, healthcare, law enforcement, methamphetamine treatment and other areas; and this bill does a great deal to address those priorities. I also believe it is critically important to restore full funding for Urban Indian Health Clinics, and this bill does exactly that.

While this bill is positive in many respects, I would be remiss if I didn't outline several specific areas where I would have written the bill differently. The fire season is upon us once again and catastrophic fires out west are again commanding national headlines, like the South Lake Tahoe fire just yesterday. It is appropriate that this bill provides additional funding for wildfire preparedness at the Bureau of Land Management and the U.S. Forest Service.

Subcommittee hearings this year demonstrated that there is a great interest and great concern over the ongoing wildfire suppression challenge which is presently burning up about 45 percent of the Forest Service budget. In light of the large subcommittee allocation and the tremendous anticipated need during this fire season, I think the subcommittee could have done even more to address fire preparedness and fire suppression problems, because being prepared can avoid the need for fire suppression.

□ 1130

Mr. Chairman, while reasonable people may disagree over the cause, there is clearly a need for more focused science on climate change. I believe

Chairman DICKS would agree that our response to climate change must look at long-term solutions rather than simply trying to provide for a quick fix.

The USGS is the science agency for the Department of the Interior, and I believe they should manage any additional funds directed to address this issue for the department. While I have the greatest respect for Chairman DICKS, I am concerned about the inclusion of the global climate change sense of Congress resolution in this bill. My concern is based on the simple fact that it does not reflect a consensus opinion of many climate change experts who testified before the subcommittee this year. It proposes conclusions and solutions to a problem that is not yet fully understood. Historically, mandatory market-based limits suggested in the language simply have not worked.

I believe we need to make wise, science-based decisions rather than merely respond to the heated rhetoric of political dialogue of the day.

As one agency scientist testified this year, our greatest need is to focus on the gaps in credible scientific information. Without understanding the complete scientific data, we will be unable to solve the problems created by climate change, and it will create a false hope presenting bad solutions to the wrong problems.

America needs to secure its own sources of energy, be it from oil, natural gas, coal, nuclear, renewable or other sources. A strong and vibrant economy and the well-paying jobs that go along with it are closely linked to reliable and preferably inexpensive energy sources.

If we want to help American working families to continue to build and strengthen our economy, we must provide them with the tools they need to pursue reliable sources of energy. I believe responsible use of our resources is precisely the right course. The approximately 43 million outer continental shelf acres under lease generally account for 20 percent of America's domestic natural gas. To address the growing demand for domestic sources of natural gas, the gentleman from Pennsylvania (Mr. PETERSON) last year offered a commonsense amendment in full committee which was supported on a bipartisan basis.

Republicans and Democrats alike agreed that the United States needed to lessen its dependence on foreign sources of natural gas. Mr. PETERSON will soon be offering the same amendment on the House floor, and I urge its adoption.

Many heard me say over the past few months how fortunate I have been to be selected as the ranking member of the Interior, Environment Appropriations Subcommittee. Not only do I have the privilege of working with Chairman DICKS, but I have had the pleasure of working with a fine appropriations committee staff.

First, I would like to thank Debbie Weatherly and Dave LesStrang here beside me on the Republican staff for all of their hard work and dedication not only to crafting this bill, but also preparing me for this new subcommittee in this inaugural role as ranking member. This spring would have been a very difficult learning process but for their guidance.

Many of you know Debbie and her impeccable stewardship of this appropriations bill during the Republican majority. She is also one of the most beloved and respected committee staffers I have ever come across. The fact that Members across the aisle continue to consult her is a testament to her depth of knowledge. I have appreciated all of the time she has spent with me over the past few months. I know that her husband, Glenn, has missed her, and I am glad he will soon get to see her more often.

I am also extremely grateful to Dave LesStrang who has taken on Interior Appropriations as part of his portfolio for Mr. LEWIS. Like Debbie, Dave is one of the most respected and well-liked staffers on the Capitol campus. I thank Mr. LEWIS, and especially Dave's wife, Elaine, and his sons Matthew and Michael for their patience in allowing him to spend so much time on the important work of this subcommittee.

Let me also commend Steve Crane of the minority staff for his guidance on issues related to offshore oil and gas drilling. Steve's expertise on these issues is exceeded only by his knowledge of anything related to the Boston Red Sox.

I am also grateful to the majority staff led by Mike Stephens. They have been cooperative and effective in not only crafting this bill, but also in helping me and my staff become acquainted with the Interior, Environment appropriations process. The entire Interior staff is to be commended for fostering a spirit of teamwork in crafting this legislation. Chris Topik, Delia Scott, Greg Knadle, Beth Houser, and Martin Brockman are bright, friendly, dedicated and among the most knowledgeable staffers on the Hill. I am pleased that once this bill is passed, they will finally have a weekend to themselves.

I would be remiss if I did not also point out the many contributions of Pete Modaff and Kelli Shilito of Chairman DICKS' staff, as well as Jeff Kahrs, AmyClaire Brusch, and Melissa James of my own staff.

In closing, Mr. Chairman, while I have real policy differences and spending concerns related to this legislation, it is our hope that between now and the conference negotiations with the Senate later this year, we can address those issues of disagreement and seek a bipartisan consensus on a reasonable, sustainable subcommittee allocation. Our sincere desire is to work with Chairman DICKS to fashion a responsible, balanced conference report worthy of broad bipartisan support.

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

Mr. DICKS. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. CHANDLER) who is a valued member of our subcommittee.

Mr. CHANDLER. Mr. Chairman, it is a pleasure today to rise to my feet to support what I think is a wonderful Interior, Environment Appropriations Act, and it has been a tremendous pleasure to work with Chairman DICKS who, after 30 years of waiting, is now the chairman of this subcommittee and has done a first-rate job on this bill. And the staff, I can't say enough about the staff. They are, as Mr. TIAHRT said, amongst the best on Capitol Hill.

Each year Congress considers anew the needs of many Federal agencies that carry out essential work on behalf of our citizens. This year our subcommittee, under Chairman DICKS' leadership, held extensive hearings on virtually every budget item under the subcommittee's jurisdiction. What we found were serious budget shortcomings that require our immediate attention.

In the area of conservation, this bill does wonderful things for our environment. It protects habitats through a 14 percent increase in funding for national wildlife refuges, and a 10 percent increase in funding for the Forest Legacy Program which enables our private forest owners to have an economically feasible alternative to selling their land for development.

In addition, the committee's bill also directly protects endangered species and migratory birds.

In the area of environmental protection, Mr. Chairman, in this legislation we make strong investments in programs that protect our environment. The Superfund program cleans up our Nation's most contaminated sites.

The increasing frequency and cost of wildfires is consuming more and more of the Federal budget. We take steps in this bill to prevent fires from ever occurring.

This Congress has paid a lot of attention to the issue of climate change, and our subcommittee is no exception. We take steps to advance research concerning this critical issue.

In the area of human health, deteriorating water infrastructure across the country endangers the health of our citizens and that of our environment. This bill will begin to address the problems in our communities by funding the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund. Funding these programs will allow States and localities to upgrade their drinking water and wastewater facilities.

In the area of cultural identity, this bill takes steps to preserve our cultural heritage and educate our citizens about our history. The National Park Service sees historic funding increases in advance of its centennial celebration in 2016. The funding levels of the National Endowment for the Arts and Humanities have each been raised by 28 percent to help these programs recover from deep cuts over the last decade.

The fund for historic preservation is provided with $82 million, including $45

million for State historic preservation offices, the highest amount in that account since 2001.

In many ways each of these efforts add significantly to our understanding of who we are as Americans. I believe it is incredibly important to preserve and to celebrate our heritage, and this is a wise investment of the taxpayers' dollars.

Fiscal responsibility. Being good stewards of the taxpayers' money is at the heart of our duty as representatives of the American people. After years of fiscal mismanagement, we have restored pay-as-you-go rules while investing in critical priorities. Investing in critical priorities. Reinvesting our money now, whether through cleaning up a town's drinking water or keeping our ecosystems in balance will save us money in the long run and will make our country a better place to live. That is what being a good steward is all about.

This is a good bill, and every Member should vote for it. Mr. Chairman, I believe that this legislation is a responsible investment in our future. It protects our environment, it protects our health, and it celebrates our heritage.

Chairman DICKS and the excellent staff led by Michael Stephens ought to be commended for working so diligently to produce this bill. It is a tremendous bill. It is, in my view, true stewardship of the resources we have been given, and I am very proud to support it.

Mr. TIAHRT. Mr. Chairman, I yield the gentleman from California (Mr. LEWIS), the distinguished ranking member of the Appropriations Committee, such time as he may consume.

Mr. LEWIS of California. Mr. Chairman, I want to congratulate both the chairman and the ranking member for a fabulous product that is reflected in this bill. The Interior appropriations bill is, by tradition, one of the most bipartisan bills among all of the bills that our committee considers each year. The House is, indeed, fortunate that the work of this subcommittee this year falls to Chairman NORM DICKS and Ranking Member TODD TIAHRT. They are not only good friends, they are capable legislators who recognize the value of bipartisanship. Clearly they do not agree on each and every single piece of this bill relative to policy or funding; but nonetheless, when they disagree, they recognize the value of communication and sharing information.

What makes this relationship even more valuable is it also extends to the professional staff on both sides of the aisle. The working relationship of Chairman DICKS and Mr. TIAHRT, coupled with a reasonable allocation, could produce a very fine product.

In this instance, however, an excessive subcommittee allocation has thrown this bill out of balance. More money does not always guarantee a better bill. In this instance, in fact, just the opposite is true. This subcommittee allocation for this bill is $27.6 billion, a $1.9 billion increase over the President's budget request, and $1.2 billion increase over the enacted fiscal year 2007 Interior bill. This subcommittee allocation represents exactly the kind of unfettered spending that so closely identifies the differences of philosophies between House Republicans and House Democrats.

And who is going to pay for this increased spending? In fiscal year 2004, 50 percent of the total Federal tax burden was shouldered by the 65 million households earning between $24,000 and $65,000 a year. The vast majority of these taxes are being paid by individuals between the ages of 45 and 54, and with incomes between $55,000 and $77,000 a year. These are middle income families, many of them from the sandwich generation shouldering the financial burden of supporting both young children and aging parents.

Middle income families end up paying the bill for expanded government. The 302(b) allocation for this bill guarantees years of payments middle income families do not want it and cannot afford.

Mr. Chairman, the Interior bill has great potential of being a truly bipartisan bill. My hope is that Chairman DICKS and Ranking Member TIAHRT will work with their Senate counterparts in conference to fashion a conference report that the House can support and the President will sign.

Mr. DICKS. Mr. Chairman, it is a great honor for me to yield 3 minutes to my friend, the gentleman from California (Mr. GEORGE MILLER) who has been one of the strongest environmentalists in this House.

□ 1145

Mr. GEORGE MILLER of California. I thank the gentleman for yielding. I want to thank him and the ranking member for bringing this bill to the floor and certainly thanking the staff that has worked with all of the Members on this legislation. I think this is a very good bill. I think this bill reflects the priorities of America, that we would once again start reinvesting in the Clean Water Revolving Fund so that people and communities can meet their obligations for clean water. And as millions of Americans set out across America with their families to visit the national parks, this bill makes legislation about the importance of those national parks, about the value of those national parks and the importance that we lay out a plan over the next 10 years to restore them and to reinvest in them so that the visitors a decade from now will have the same experience or a better experience when they visit the national parks as people do today.

The national parks have far too much neglect in terms of the backlog of projects that need to be done, to enhance them, to improve them and to protect the national parks. The stateside of the Land and Water Conservation allows the Federal Government to be a partner with local communities on their priorities for the protection of open space and the enhancement of recreational opportunities, to improve the quality of life in our communities. We have seen this very, very successful program to enhance the communities, to enrich the experience for families in those communities.

Finally, I would say in the Indian education programs where again as Indian tribes and others have more and more say in the education of their young people, where they're bringing about very innovative programs, to see us again invest in those programs. What we see now is we have a record number of Indian children who have gone on to college, who are enrolled in college, who are getting advanced degrees. We've got to continue to improve that program and this legislation does it.

I also want to thank the committee for recognizing the Rosie the Riveter World War II Home Front National Park. This is a park that's growing in popularity. It tells the incredible and magnificent story of the women who came to the shipyards in California to build the ships to win the war in the Pacific and what that meant to us as country, as a culture, what it meant to the integration of the workforce during World War II, and certainly what it meant in terms of supplying our troops with the materials necessary to win the war in the Pacific.

We have seen women from all across the country come with their daughters, with their granddaughters, with their great granddaughters and explain to them, this is where I worked, this is where we built and launched a ship a week in these shipyards. It's remarkable the ceremonies that are held there, to see these women, to come there and to leave their historical documents, to leave their letters home, to leave their welders' cards and their ironworkers' cards with the museum, and now we will be able to share all of that with the public as part of a greater effort in the National Park Service to develop the home front national park system all across the country where those who were on the home front during the war enabled us to successfully win and prosecute the Second World War.

I want to thank the committee and the members.

Mr. TIAHRT. Mr. Chairman, I would like to yield 4 minutes to the cochairman of the Parks Caucus, who has a great passion for our national park system, the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. I want to thank the subcommittee chairman and ranking member for plussing up our National Park Service. We are at a very critical junction. We are approaching the 100th birthday, in the year 2016, of the National Park Service.

Why do I say we're approaching? Because there are certain moments in time where you can gather and build public support for something that will last from generation to generation. When the first kind of preserved areas were preserved at Yellowstone and the Yosemite Grant and a few of those in the 1800s, it took dramatic intervention from Theodore Roosevelt and the creation under Stephen Mather of the National Park Service. Then it really took in the World War II era, the Great Depression era, the different relief projects that built much of the architecture in our parks because we put people to work, and much of the historic architecture that we see in our national parks came in the WPA and CCC programs. Then nothing really much happened until it started to approach the 50th birthday. When I say ''started to approach,'' when you did Mission 66 and most of the visitor centers you see in our parks today, most of the lodging that you see, much of it at least in our parks, much of the road infrastructure, the sewage infrastructure, everything, came heavily out of this Mission 66 commitment. But you don't just do that in 1 year. If you wanted to be prepared for the 50th birthday, you started a decade ahead. We are getting inside that decade. If we are going to have a vision of where our National Park Service is going to be at 100 years and where it's going to go, we need to start making the investments now.

I support, as our Parks Caucus does, the Centennial Act, which also would as part of this build a better foundation as to how we're going to fund parks. But this particular bill puts $50 million in above what we would normally get to start this process. Because if we don't start now, by the year 2016 we won't be able to be ready for the 100th birthday. Part of the question which the National Park Service has been going around talking to Americans all over the country is, where do you want our Park Service to be? How is it going to be different? We need to preserve our natural sites. We have preserved many of those, but we can expand that. We need to expand our cultural sites because our history is a constantly evolving thing, just as Congressman MILLER just referred to, the Rosie the Riveter Park and that type of cultural heritage. As we look at Hispanic sites, at African American sites, at Angel Island and various Asian sites, as we look at more urban sites and what's the role of the National Park Service in urban sites, but also how are we going to deal with the Internet age. How can we expand?

The National Park Service has more fish and wildlife, has more natural resources at Carlsbad Caverns with bats. How can we use this at other places with grizzly bears, with wolves, with frogs, with trees? And we can learn much of science. How can we interconnect that with our educational institutions? How can we take the Park Service in its 100th birthday to the next level? What are we going to do with interpretive rangers? What are we going to do with our visitor centers? How can we make our heritage, cultural and natural, something that we can preserve for generations and generations?

To do that, we need to do that now. We need to start laying the foundation in these appropriations bills, what this bill does. We also need to be looking at a permanent way so the Park Service doesn't have the up-and-down cycles, where we pass additional land things, they don't have money to do it. We give them new homeland security things, and they don't have enough money to do it. We say we want this done and that done by a Park Service but don't give them the annual funds to do it.

I'm very pleased that it's in this bill. I hope this is the start of moving towards the 100th birthday. It's a very good start. I thank the chairman and the ranking member for doing that.

Mr. DICKS. Will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from Washington.

Mr. DICKS. I just want to commend the gentleman for his leadership on the National Parks Caucus. This issue should never be partisan. I'm glad we can work together with Mr. TIAHRT to strengthen our parks and to enact the Centennial Challenge.

Mr. SOUDER. Thank you.

Mr. DICKS. Mr. Chairman, it gives me great pleasure to yield 4 minutes to the chairman of the Natural Resources Committee, a fellow member of the class of 1976 and also a person who had to wait 30 years to be chairman, my good friend from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the distinguished chairman of the subcommittee for yielding me the time and certainly commend him for his leadership as well as that of the full committee chairman, Mr. OBEY.

Mr. Chairman, for over a decade while our Government lingered in Republican control, America's investment in itself, in those programs that provide for the most fundamental needs of our citizens, has been literally on the chopping block. As a result, Americans are coping with diminishing services and declining opportunities. Those programs that fall under the purview of the Natural Resources Committee, which I chair, are no exception. In fact, they have been particularly hard hit. As a result, our ability to preserve for future generations these unique places that are a rich part of America's past is diminishing. Our means of ensuring the thoughtful conservation and balanced development of our resources has been undercut. And our ability to protect our treasured natural vistas and irreplaceable wildlife has suffered mightily.

But this year we have turned the corner and that is due in large part, as I have said, because of the leadership of our distinguished appropriations Chair, DAVE OBEY, and the chairman of the Interior appropriations subcommittee, my classmate and dear friend, NORM DICKS. I thank and commend Chairman DICKS for his outstanding efforts on the bill before us today. It is a good bill, it's a great bill that will move us in a positive direction.

It is most remarkable for its differences from Interior bills of recent years. It has been a very long time since we have seen a bill that provides funding levels that come anywhere close to providing for the Nation's real and growing conservation needs. And while this bill is constrained by the government's overall budgetary limitations, it is an honest effort that provides needed nourishment to important accounts that were on a forced starvation diet.

I am particularly pleased and encouraged to see that Chairman DICKS has substantially increased funding for our national parks, these national treasures that hold a special place in the hearts of many Americans, but recent funding for them has not reflected their true value. This bill reverses years of disinvestment, helping to ensure that parks funding does not come at the expense of other programs. It also reverses a decline in staffing and visitor services, providing an increase in seasonal and permanent employees.

In addition, support is improved for the endangered species program and other accounts that are critical to saving God's creatures from extinction. This money will go a long way toward ensuring the Endangered Species Act is implemented as it was originally intended.

In what signals one of the most obvious and commendable departures from Republican priorities of recent years, this bill includes a 13 percent increase for the office of the Inspector General at Interior. That increase responds to the kinds of gross problems that I have been probing in our committee hearings this year with respect to Interior's inexcusable failure to collect moneys due the American people from Big Oil.

This appropriation measure also honors our Federal trust responsibilities to Native Americans. It restores badly needed dollars for the Indian Health Improvement Fund and the Urban Indian Health Care Program. It also recognizes, Mr. Chairman, the importance of the Indian Housing Improvement Program by ensuring that the program is not eliminated as the administration had proposed. The tribes have suffered under the bare-bones budget of recent years, but this bill thankfully attempts to set things back on the right course.

Finally, I am very encouraged to see funding increases for the long-neglected Land and Water Conservation Fund as well as for Payment in Lieu of Taxes. The stateside grants, in particular, have suffered greatly at the hands of the administration budget butchers.

Again, I commend Chairman NORM DICKS for crafting a serious appropriation bill that helps our Federal agencies conserve our natural and cultural heritage for generations to come, and I commend the ranking member, Mr. TODD TIAHRT, for his working with our chairman as well.

Mr. DICKS. Mr. Chairman, how much time is there on both sides?

The Acting CHAIRMAN. The gentleman from Kansas has 10½ minutes remaining. The gentleman from Washington has 3 minutes remaining.

Mr. TIAHRT. Mr. Chairman, I yield back the balance of my time.

Mr. DICKS. I yield the balance of my time to the gentleman from New Mexico (Mr. UDALL), who is also a valued member of our subcommittee and a very good friend, and a great tennis player.

The Acting CHAIRMAN. The gentleman from New Mexico is recognized for up to 3 minutes.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Let me also say that our chairman is an incredible tennis player, and I always like to be on the same side of the net with him rather than on the other side.

I would like to first of all congratulate NORM DICKS and TODD TIAHRT for their leadership and their bipartisan cooperation on this bill. We haven't seen this kind of leadership in a long time, I think it's very impressive, and I want to applaud it.

Let me also say that we have done some very significant oversight in this subcommittee of the appropriations. We have tackled a variety of issues. We've had all the Departments in. We've taken a very, very hard look at the kinds of things that are going on in these Departments. We also haven't seen that in a long time. One of the things that Chairman DICKS and Ranking Member TIAHRT have done is restore the public witness day. That's something that's very important and hasn't been around for about 10 years, where every member of the public can walk in and comment and tell us what their point of view is. Much of those points of views that were reflected in the committee are specifically in this bill.

I also want to thank Mr. Stephens and all of the staff. They've done a pretty incredible job. What this bill is about is the stewardship of our natural resources. This is a bipartisan tradition that started many years ago, over 100 years ago with Teddy Roosevelt and the first chief of the Forest Service, Gifford Pinchot. This was a Republican tradition and started out as a Republican tradition, and we hope that Republicans will join us in a bipartisan way on this bill rather than picking it apart, because this moves the country in a very, very important direction, and this bill also reflects the Nation's values that we haven't seen reflected in the appropriation bill over the last 6 years.

□ 1200

Let's just look at what's happened over the last 6 years. The Forest Service is down, 35 percent. This bill isn't able to restore all of that, but we start working back up. The EPA, a cut of 29 percent.

There we're talking about law enforcement and doing things about cleaning up air and water and toxics, an unconscionable cut in the EPA of 29 percent. This bill moves it back in the right direction to restore those enforcement capabilities, and a cut in the Interior Department of 16 percent over the last 6 years.

This bill once again starts to move us back in the right direction. This bill is about protecting public lands, protecting wildlife, recreation, and clean air and clean water.

One of the other things that I think this bill does that is very important is fund the National Park Service. I urge all of my colleagues, Republican and Democrat, to support this bill. It's a good bill, and they have done a great job at pulling it together.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of H.R. 2643, the proposed Fiscal Year 2008 appropriations for the Department of Interior, Environment, and other related agencies. I commend Chairman NORMAN DICKS, and his Appropriations Subcommittee for the work he has done in responding to the needs of the Department of Interior in carrying out its mission to protect our Nation's resources.

As Chairwoman of the Natural Resources Subcommittee on Insular Affairs which has jurisdiction over all U.S. territories, I want to especially acknowledge the work of Chairman DICKS to increase funding to Interior's Office of Insular Affairs so it can respond to the changing needs and priorities of our U.S. Insular areas and the relationships we have with the freely associated states in Micronesia.

The Subcommittee on Insular Affairs convened an oversight hearing in February over that portion of the President's proposed Fiscal Year 2008 Interior budget which had a direct effect on the Department's ability to assist our U.S. territories and freely associated states. In addition to the Department officials, the governors of American Samoa and Guam, and the Resident Representative of the CNMI provided testimony in support of the work of the Office of Insular Affairs with a caveat that more resources should be given to them to enhance the work it does for U.S. territories.

I am pleased that the Appropriations Committee was able to increase such resources for the Department to expand its efforts in assisting economic development. I also point out that the increases in this budget will respond to specific requests, such as strengthening the judicial systems in the Pacific, addressing the needs of Marshall Islanders adversely affected by our nuclear testing program carried out in the 1950s.

Notwithstanding the above, I would be remiss if I did not express my strong disappointment that my requests for funding for critical infrastructure needs in my own Congressional District was not included in the bill. While I recognize that the subcommittee had difficult choices to make, I look forward to continuing to work with the Chairman and Ranking Member should there be opportunities to fund additional priority projects as the bill moves forward.

The Department of Interior's budget meant to benefit development and accountability in our U.S. territories is a small portion of what is being considered today. However, the increases carry out the mandate of the Interior Department is significant to improving the lives of our fellow Americans in those outlying jurisdictions. Again, I applaud the work of the Appropriations Committee and urge passage of H.R. 2643.

Mr. SIMPSON. Mr. Chairman, in accordance with House earmark reforms, I would like to place in the RECORD a listing of the congressionally-directed projects in my home state of Idaho that are contained the report of the FY08 Interior, Environment and Related Agencies Appropriations Bill.

The project provides $500,000 within the Environmental Protection Agency, State and Tribal Assistance Grants to the City of Twin Falls for the Auger Falls Wastewater Treatment Project.

Funding such as this is critical to assisting rural Idaho communities in upgrading their water and wastewater treatment facilities. In the case of Twin Falls, this funding is required to comply with unfunded mandates passed down by this Congress and federal agencies. The State of Idaho, under court order, has implemented Total Maximum Daily Load (TMDL) limits for phosphorus compounds on all significant discharges to the river. The City of Twin Falls Wastewater Treatment Plan, with a daily discharge of approximately 7.1 million gallons of treated wastewater per day, is one of the largest dischargers of phosphorus on the Middle Snake River and periodically exceeds the EPA TMDL limit. The City is planning to meet its TMDL limits through the use of natural treatments on city owned property, in the form of constructed wetlands and habitat creation.

This funding will allow the City of Twin Falls to develop the beneficial wildlife habitats that will function as wastewater treatment systems to further reduce nutrients in City wastewater. This will ensure that the wastewater does not exceed the Environmental Protection Agency's Total Maximum Daily Load mandates for the City's wastewater discharged into the Snake River.

I am proud to have obtained this funding for Idaho and look forward to working with Idaho's communities in the future to meet their water resource challenges.

I appreciate the opportunity to provide a list of Congressionally-directed projects in my district and an explanation of my support for them.

(1) $500,000 City of Twin Falls for the Auger Falls Wastewater Treatment.

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong support of the Interior Appropriations Bill; especially do I support the increase in funding for the National Endowment for the Arts.

I know that we have great concern for National Security, Homeland Security, funding for military warlike activities, education, health, other social welfare issues, infrastructure improvements, job creation and all other aspects of life; however, it is not my feeling that these concerns out-weigh the need to keep art and culture high on our list of concerns.

Art is a connector, a bridge builder, a motivator, a stimulator, an activator and a way

for people, especially our children to have experience that otherwise they would never ever have the opportunity to have.

Art is, and should be a great part of every child's learning experience and it is our opportunity to make sure that is available.

Mr. MARKEY. Mr. Chairman, I rise in opposition to any amendments that would strike the longstanding existing moratoria on offshore oil and gas drilling along the East and West Coasts.

When you look at these amendments, you see that they are particularly empty of any promise to reduce our dependence on foreign oil. Right now, without these amendments, drilling is already allowed in areas holding roughly 80 percent of the estimated oil and gas resources. In fact, of the 8,000 active leases oil companies hold in the Gulf of Mexico, more than 6,000 have yet to begin producing oil. So if you are worried about making sure that the oil and gas industry has access to the Outer Continental Shelf, stop worrying. They already have more leases than they know what to do with. They have been given the right to drill for the vast majority of oil and gas offshore and are not even producing from the majority of leases they hold in the Gulf. The oil companies should begin producing on the leases they already hold, not looking to acquire new ones in environmentally sensitive areas that do not even have large estimated oil and gas resources.

Moreover, let's not forget the Republican leadership just rammed through an offshore drilling bill in the waning hours of the last Congress as a going out of business bonanza for big oil. That legislation opened up additional areas in the Gulf of Mexico holding 1.26 billion barrels of oil and 5.83 trillion cubic feet of natural gas. But barely six months later, drilling proponents are back for another bite at the apple, once again attempting to give away our important coastal areas away to Big Oil.

G.O.P still stands for the Gas and Oil Party.

It is highly misleading to suggest that we can solve the problem of our oil dependence or high gas prices with more drilling, when the real answer is not more drilling, but using technology to make our cars and SUVs more energy efficient. After Congress mandated a doubling of fuel economy standards from 13.5 to 27.5 miles per gallon, our dependence on foreign oil went from 46.5% in 1977 to 27% in 1985 but we are now back up to 60%.

We should be making our vehicles more efficient, not giving away our public lands to big oil companies that are making record profits. Soon, this House will have an opportunity to go on Record on the Markey-Platts legislation, which would mandate a 35 mile per gallon combined fleet fuel efficiency standard—an improvement that will allow us to reduce our consumption by roughly the same amount of oil that we currently import from the Persian Gulf by 2022.

I am pleased that the underlying bill once again includes language authored by myself and Mr. HINCHEY that would give oil companies a strong incentive to renegotiate the faulty leases from 1998 and 1999. The Government Accountability Office has estimated that these leases could cost the American taxpayers more than $10 billion. The House has gone on record time and time again in overwhelming support of putting real pressure to renegotiate on every company holding these leases. Last year, the House adopted the Markey-Hinchey royalty relief fix that is included in this bill by a vote of 252–165 and earlier this year this body passed the royalty fixes contained in H.R. 6 by a vote of 264–163. It is time to put an end to big oil's free ride. I urge opposition to any amendments that would open up our coastlines to drilling and strongly support passage of the underlying bill.

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows.

H.R. 2643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $888,628,000, to remain available until expended, of which not to exceed $92,129,000 is available for oil and gas management; and of which $1,500,000 is for high priority projects, to be carried out by the Youth Conservation Corps; and of which $2,800,000 shall be available in fiscal year 2008 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

I am prepared to yield to my distinguished colleague from Tennessee, the chairman of the Science and Technology Committee.

Mr. GORDON of Tennessee. I want to say that I share the gentleman's concern about the issue of climate change and about the impact that it may have on our Nation.

My committee held three hearings on the working group reports, the Intergovernmental Panel on Climate Change, IPCC, released earlier this year. The Committee on Science and Technology is marking up a bipartisan bill tomorrow authored by Mr. UDALL and Mr. INGLIS, the different Mr. UDALL, H.R. 906, to restructure the U.S. Global Change Research Program to provide more policy-relevant information to Congress and to regional organizations, State and local governments, and to businesses and organizations that are developing and implementing adaptation mitigation strategies.

The Global Change Resource Program authorized in the Global Change Research Act of 1990 has guided our government's climate science agenda for the past 17 years. It has had many successes. Much of the research that has been summarized in the IPCC reports emerge from this program, and I commend the gentleman for producing a bill that makes additional money available for climate change.

I fully support the allocation of an additional $50 million for the important task of developing adaptation and mitigation strategies. We need to lessen the impact of climate change on our Nation.

However, the structure authorized in the bill for determining the research agenda and allocating the funds is not compatible with either the existing structure of the program or the bill the Science Committee will be marking up tomorrow.

Mr. Chairman, I have a responsibility to lead the Committee on Science and Technology in a fashion that produces good, consensus-based legislation. I take that very seriously. In the spirit of cooperation, and in the interest of comity, I will not support a motion to strike the climate change commission language from the bill with the understanding that you will agree to work with our committee as we go forward to allocate these funds in a manner that is compatible with authorizing legislation.

I am confident that H.R. 906 will provide a solid foundation for reaching the goal that you and I share, addressing the challenge of the climate change through applications of a solid foundation of science on adaptation and mitigation.

Mr. DICKS. Will the gentleman yield.

Mr. GORDON of Tennessee. Certainly.

Mr. DICKS. I appreciate your concerns and want to assure the gentleman and his committee that we are very open to making changes to ensure the funds are spent in a manner which reflects the legislation coming from the Science Committee.

I look forward to working with you and your staff over the next few months to coordinate our joint efforts in climate science. I want to congratulate the gentleman on working on a consensus basis. We tried to do that in the interior bill, and the chairman knows that he has my word on this issue, and we will work this out.

Mr. GORDON of Tennessee. Mr. DICKS, we do have a bipartisan bill, and we look forward to working with you in a bipartisan manner to make this good bill even better.

Mr. KIND. Madam Chair, I move to strike the last word.

I just want to take a moment to congratulate the Chair and the ranking member and the entire committee for the wonderful job they did in regards to the stewardship of our public lands.

If you take a look at the budget, and this was eloquently stated by my friend from New Mexico, whether it was the National Park Service, whether it was the National Wildlife Refuge, if you take a look at funding for our public lands in recent years, it has been static at best and having severe consequences in regards to the management of our national park system but also the national wildlife refuges.

As one of the cochairs of the Congressional Wildlife Refuge Caucus, along with my colleagues, JIM SAXTON, MIKE CASTLE, MIKE THOMPSON, we have taken it upon us to try to educate our fellow colleagues in both the House and the Senate with regard to the real challenges that we are facing throughout the refuge system.

While there are over 500 refuges nationwide right now, over 20 percent of them are not staffed and not offering any educational value to visitors, more refuges being prepared to be mothballed in the future, serious staff cuts with the agency budget, given the limitation of funds that they have seen.

Now with this $56 million increase, the first increase since 2003 when we celebrated the centennial anniversary of the creation of the refuge system, this will go a long ways as far as stemming the cuts in personnel, staff, educational opportunities, but also the importance of maintaining and operating these refuges which are currently facing about a $3 billion backlog in routine maintenance and operation.

I commend the committee, again, for their devotion and their attention to this very serious issue. But they are also recognizing we have another centennial anniversary coming up, and that's for the park service in just a few years, and a lot of work that needs to be done to bring that up to par so that they are worthy of the public attention and hopefully the increased visits that will lead up to this centennial anniversary of the national park system as well.

I just want to take a moment to commend one park service person in particular, who my family and I had the privilege of spending Father's Day Sunday with, and that was at the Antietam National Battlefield, just outside of Washington here.

The gentleman's name is Mike Gamble, and he works for the Park Service at the Antietam Battlefield. He was a 30-year history teacher for a local high school. He has been with Antietam Battlefield now for the last 9 years conducting tours and offering services to the visitors.

If there is anyone with greater depth of knowledge of what took place, that crucial battle, the Battlefield of Antietam, the bloodiest day in American history, I don't know who that could be.

He was incredibly well versed, extremely interesting, very educational, and even for my 9 and 10 year-old little boys, he brought that battlefield to life with great personal relevance in their lives. It's people like Mike and those who serve in our park service, whether it's Civil War battlefields or national parks or in our refuges, that really make this the great monuments to civilization that we have in this country.

Mr. DICKS. Would the gentleman yield?

Mr. KIND. I would be happy to yield.

Mr. DICKS. I want to commend the gentleman for his leadership, particularly on the wildlife refuges. We have had a cut over the last few years of over 600 employees. I couldn't believe the testimony this year of the people saying these refuges are in dire need, you have got to do something.

That's why we are trying to put money back into these important areas. It's only a small amount, the work is absolutely essential. I appreciate the gentleman's leadership and his work in presenting our committee with information on the wildlife refuge.

Mr. KIND. Again, I appreciate this gentleman's leadership and the committee's work in regards to refocusing our attention on a great need in our Nation.

I wanted to also mention to my colleagues that I, along with the other cochairs of the Wildlife Refuge Caucus, recently introduced legislation called the Repair Act. We had a nice hearing before the Natural Resources Committee last week that would hopefully provide singular focus on one of the great threats facing our refuge system, and that's invasive species, plants, animals. What we are trying to do is establish an important public and private partnership by working with friends groups, with Federal, State, local agencies, but other nonprivate organizations, so we can develop a battle plan to deal with these invasive species, try to get out ahead of the curve, which is one of the great threats facing the entire refuge system today.

So I would hope my colleagues would take a look at the legislation that we have recently introduced. Hopefully we will have the cooperation of the committee, be able to move it to the floor for consideration, so we can start providing a singular focus and a good plan in place to deal with the invasive species threat that we are facing in this Nation.

Again, I thank the committee for the work that they have done, they have produced a good product here, and I would encourage its passage.

Mr. BISHOP of Utah. Madam Chair, I move to strike the last word.

One of the issues that we are dealing with this in this particular budget deals with the question that we have that deals with both immigration as well as the processes of that immigration. We are talking this time about immigration, and the devastating impact that it has.

One of the things we missed is the impact on land of immigration. Our land managers have documented, pleaded their efforts before and in the past on some of the problems that we seem to be facing with immigration. We have illegal trails that are going across the desert that are leading to erosion. Literally our resources are being washed away.

Where that is not happening, trash is being left behind by illegal border crossers. We are talking about plastic bottles, shoes, cars, even vehicles at some times. That is not necessarily the habitat of endangered species. We seem to be having devastating fires taking place started by abandoned camps.

Even last week, 1,900 acres in the Buenos Aires National Wildlife Refuge was burned, and it is believed that its was started by illegal immigration cooking fire. The Coronado National Forest, in testimony last year before the Appropriations Committee, has 60 miles of contiguous border with the Mexican border. In this national forest, there are 12 separate rangers, eight wilderness areas, 203 threatened and endangered sensitive species, and the staff said that the resources are suffering significant adverse impacts due to illegal border traffic. Even livestock and closure fences, meant to try to separate livestock from endangered species, are being torn down.

Probably the most specific and egregious of all those examples is given by the National Park Service. The Organ Pipe Cactus National Monument, one-third of that monument is closed to visitors because of the threats of assault by AK–47-packing drug runners is too great. Land managers and biologists responsible for the park must be escorted by armed personnel to do their work in the park.

If we had machine-gun toting bandits or terrorists walking through Yellowstone or Yosemite, we would not tolerate that. But that is the reality that we have today, and the land managers are asking for tools to do their job.

That, indeed, is an issue of significance that needed to be addressed in this particular bill. Perhaps at some point in the future we can actually address that particular issue and that difficult problem and see if we can move forward to a resolution of that and establish priorities that we want to have border security and the impact, the negative impact it's having on public lands, we need to make sure that we move forward as a government to stop that and suppress that.

Mr. TIAHRT. Will the gentleman yield?

Mr. BISHOP of Utah. I will be happy to yield to the ranking member.

Mr. TIAHRT. I thank the gentleman from Utah for bringing up this very important issue.

We have heard in testimony in the Interior Committee that not being able

to maintain the security of our borders has had an impact on our park service and Interior lands. We need to do a better job of maintaining our borders. I thank the gentleman for his efforts in trying to make this country more safe by maintaining our borders.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind Members to refrain from trafficking the well while a Member is under recognition.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BISHOP of Utah:

On page 2, line 15, insert after the dollar amount ''(increased by $11,055,800)''.

On page 11, line 21, insert after the dollar amount ''(increased by $4,738,200)''.

On page 18, line 23, insert after the dollar amount ''(increased by $11,055,800)''.

On page 67, line 8, insert after the dollar amount ''(increased by $4,738,200)''.

On page 96, line 14, insert after the dollar amount ''(decreased by $31,588,000)''.

Mr. BISHOP of Utah (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DICKS. Madam Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

□ 1215

Mr. BISHOP of Utah. Madam Chair, we just mentioned a few things that are significant to this particular issue and tried to mention some of the important points that we are making. We need greater control on the Park Service and BLM land on our border areas that is being devastated by illegal border crossing.

The amendment that I am proposing goes directly to that goal and that purpose by committing $30 million towards law enforcement activities. Actually, it's $31.5 million toward law enforcement activities by agencies who are on our southern border.

We, as a government, have a responsibility to prevent illegal border crossings. We also have a responsibility for land managers to be managing the land in that particular area.

Now, this amendment that I have does move money around. I feel sorry for that. The particular area in which I am transferring the money is something that bothers me personally.

I met my wife during a community theater. When I was in the legislature in Utah, I was the one that instituted a percent for the art programs so that 1 percent of all our construction monies went for arts to be considered. I have been a supporter of the Utah Arts Council.

I also think it's appropriate that local dollars fund art programs so that local control can be there on the process level.

With this particular amendment, it still leaves a $4 million, $4.5 million, roughly $4 million increase in the National Endowment for the Arts over last year's funding base, so there still is an increase. But in addition to that increase, there is $30 million that will go to enforcement of our borders, enforcement of our borders that is necessary to protect the land that is there. It is a matter of priority.

Now, CBO has scored this one. I'm convinced there is probably no PAYGO efforts, but that may be one of the issues we want to talk about. But the bottom line is still this: We need to prioritize what we're doing with this budget. And this is a tremendous area that has been de-emphasized and needs to be re-emphasized. And I contend that this is the appropriate way to put that emphasis there.

POINT OF ORDER

Mr. DICKS. Madam Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DICKS. Madam Chairman, the amendment filed by the gentleman may not be considered en bloc under clause 2(f) of rule XXI. The rule states in part that amendments may only be considered en bloc if they do not increase either budget authority or outlays in the bill.

While the amendments proposed by the gentleman are offset fully in budget authority, the combined effect of the changes would increase outlays by $8 million, in violation of paragraph 2(f). The amendments are, therefore, not in order to be considered en bloc.

The CHAIRMAN. Does any other Member wish to be recognized on this amendment?

The Chair will make a ruling. To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from Utah (Mr. BISHOP) proposes a net increase in the level of outlays in the bill as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

In addition, $20,000,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from $1,866 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and in addition, $34,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $888,628,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $6,476,000 to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $18,634,000 to be derived from the Land and Water Conservation Fund and to remain available until expended.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BISHOP of Utah:

Page 4, line 1, after the dollar amount, insert ''(reduced by $17,015,000)''.

Mr. DICKS. Madam Chairman, I reserve a point of order against this amendment.

The CHAIRMAN. A point of order is reserved.

Mr. BISHOP of Utah. One of the issues with which we struggle in this legislature deals with simply the concept of prioritization. And what I'm talking about in this particular issue is money put into the budget above and beyond what the President recommended, but money put into this budget for new acquisitions, not taking care of what we already have, but new acquisitions.

Now, I'm going to contend here that what we need to do is prioritize so that what we do is put our money in what we already have and make sure that we are doing the best we have with our parks and public lands.

I have a picture right here of a facility that's not in my district, but it is in my State. Dinosaur National Monument is actually in the Second District of Utah. This particular facility is a beautiful facility. I was there before it was condemned. I was there. So you could go in there with all my kids and look at the dinosaur bones that are still in place in the mountainside as it has been scraped away so you can see the prehistoric history of this country. It's a wonderful place. It is a wonderful exhibit. It's a great learning experience, all of which has been closed because this building has been condemned and we don't have enough money to fix the facility.

This facility should be fixed before we put 17 million new dollars into new programs somewhere else. This facility should be fixed before we expand what we are trying to do. We need to take care of what we have already identified as important and significant and make sure it takes place.

And that, my fellow Members of this House, is the reason I'm proposing this amendment, that we simply reprioritize to do what's most important, and we fix what we have first and make

sure that is functioning before we put any new additional money into acquisition of new land, new properties and new proposals.

Mr. DICKS. Madam Chair, I withdraw my point of order on this amendment, but I would like to be recognized for 5 minutes in opposition.

The CHAIRMAN. The point of order is withdrawn.

The gentleman is recognized for 5 minutes in opposition.

Mr. DICKS. Madam Chairman, this amendment, if it were adopted, would eliminate nearly all land acquisitions that are high-priority projects that need to be done. It would leave only $1.6 million in the acquisition account, not even enough to continue to staff the program.

These are not new projects. These are inholdings. These are inholdings within lands that are owned by the Bureau of Land Management, and these are very important from both an environmental perspective and to lock up land. That's why the BLM favors the acquisition of these inholdings.

So I urge a ''no'' vote on this amendment.

Mr. TIAHRT. Madam Speaker, I move to strike the last word.

I think that the gentleman from Utah (Mr. BISHOP) has made a good point and reinforced what I was saying in my opening statement that we can get overextended in the Park Service and acquire more than we can take care of.

The beautiful building that he used in his example provides a wonderful purpose is now closed because we have not been able to maintain it. My concern, in getting overextended, is that we build new buildings and acquire new land that we are unable to maintain and we get into the same problem that we're trying to correct today.

So I thank the gentleman for offering his amendment, and I think it makes a valid point.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was rejected.

Mr. MURPHY of Connecticut. Madam Chair, I move to strike the last word.

Madam Chair, I was going to offer an amendment today, but would like, rather, to speak on the subject of the amendment.

Madam Chair, I'd like to thank Chairman DICKS for all of his hard work on this bill.

Last week, Madam Chair, I was joined by Representative GERLACH and Representative PITTS as we relaunched the Bipartisan Land Conservation Caucus. And as one of the new co-Chairs of that caucus, I'm thrilled that the Interior Department budget that Mr. DICKS and his subcommittee have put together includes a major new investment in open space preservation funding, and I applaud their work here.

But protecting these spaces, once preserved, is a time-consuming, expensive, and often complex process. We're lucky in this country, especially in New England where I hail from, to have amazing partners in this process, which are local land trusts. These land trusts were started by community members who want to preserve and protect the regional character of their special part of the world. Since their creation, they've grown into full-fledged partners in the conservation effort. Many of these trusts across the country have expanded and now have up to 10 or 20 full-time staff members; however, many still remain very small volunteer organizations with no staff support. For example, of the 128 land trusts in Connecticut, 103 of them are comprised solely of volunteers, the largest number of volunteer trusts in the country. It's these small land trusts that do most of the on-the-ground work, saving historic sites and priceless vistas that are so important to our regional character in New England.

However, in recent years the burden on these small land trusts has grown tremendously. In addition to their original task of seeking out lands to preserve, they are also now bound by IRS red tape and heavy enforcement duties. These land trusts are now responsible for ensuring that any conservation donation qualifies for the tax deduction offered by the IRS. These tax deductions have caused legions of landowners to choose to put valuable conservation easements on their land; however, a local volunteer land trust with no paid staffers cannot be expected to do the IRS's work for them to evaluate and sign off on every donation.

In addition, these small land trusts are now required to enforce and patrol the easements that they already hold. As more and more land is put into easements, more and more burdens are put on local land trusts to make sure that these easements are enforced. In Connecticut, there are now over 24,000 acres of land with conservation easements, and more and more land is added every year.

If the government is going to rely on these land trusts to do the administrative work associated with these easements for programs like the Land and Water Conservation Fund and Forest Legacy, it makes sense that we should partner with them to help them with these administrative duties.

I had planned on offering an amendment that would have allowed 1 percent of all land and water conservation funds appropriated by the Bureau of Land Management to be available to competitive grants to volunteer land trusts across this country. That money could be used in order to help them with some of the administrative costs that have been imposed.

Mr. DICKS. Madam Chairman, will the gentleman yield?

Mr. MURPHY of Connecticut. I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentleman from Connecticut for his leadership on the land trust. This is close to my heart. My youngest son, Ryan Dicks, works for the Cascade Land Conservancy in the State of Washington, and I'm very familiar with the work that these important agencies do.

And I want you to know that in our bill we have $62 million in the Forest Legacy account, and we also have $268 million for land and water conservation grants, of which 50 million is for the Stateside program. And though I can't accept your amendment this year, I want the gentleman to know that I want to work with you and see if there's some way that we can help these important entities do the job that is so important in preserving lands that are important to the American people.

Mr. MURPHY of Connecticut. Madam Chair, reclaiming my time. I thank the chairman very much for his offer to help. This is a historic investment in this bill in open space preservation and land preservation funding. I thank the chairman and his committee for their commitment to this very important issue, and I look forward to working with him to make sure that we are doing all we can to help those land trusts make the best use of this new historic and incredibly important commitment to land preservation and open space preservation.

Mr. SAXTON. Madam Chairlady, I rise to strike the last word.

Madam Chairlady, I would like to engage my distinguished colleague from Washington, Chairman DICKS, in a colloquy regarding funding for an important conservation project in the district I represent.

The State of New Jersey has only 3 percent Federal land ownership and is also the most densely populated State in the country. From national parks and wildlife areas to soccer fields and city playgrounds, our investments in conservation, preservation, wildlife and recreation pay dividends each and every day.

The coastal areas of our Nation are under extreme pressure for development. The Third District of New Jersey, where the Edwin B. Forsythe National Wildlife Refuge is located, is no exception. It is vital that we assist our States and local governments in a true Federal/State/local partnership to purchase tracts of land like the one within the Forsythe Refuge boundary, environmentally valuable land that can be bought now but most likely will be lost permanently for future use in the very near future.

I appreciate the challenges that the subcommittee faced in this difficult budget year; however, I am hopeful that we will recognize the importance of this project to the people that I represent and New Jersey as a whole.

We have a responsibility to our children to ensure that green spaces remain to provide clean air and water and ample opportunities to enjoy wildlife and the great outdoors. The economy of the district I represent depends on a vibrant and healthy economy.

I yield to my friend from Washington.

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Mr. DICKS. I appreciate your yielding.

Madam Chairman, I thank my colleague from New Jersey for bringing this important project to my attention. I will be pleased to consider this funding need should additional funds become available in conference. And I also want to congratulate the gentleman for his outstanding leadership on many important issues dealing with conservation and the environment. And I particularly appreciated his cosponsorship of our bill that has just been reported out of the Natural Resources Committee in protecting our wildlife.

The gentleman is certainly an important leader from New Jersey, and we want to work with him.

Mr. SAXTON. Madam Chairman, I thank the chairman very much for his comments, and I appreciate our ongoing partnership and effort on issues such as this.

Mr. LUCAS. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I wish to enter into a colloquy with the distinguished chairman of the subcommittee regarding the Indian Arts and Crafts Museum funding within the Department of Interior.

Chairman DICKS, I stand here today in support of the continued funding of the 2008 Interior appropriations bill for the three Regional Indian Arts and Crafts Museums that are currently operated by the Indian Arts and Crafts Board. Congress passed the Indian Arts and Crafts Act, which created and charged the Indian Arts and Crafts Board with promoting the Indian arts and crafts movement and with protecting the integrity of the art from nonIndian counterfeiters selling products advertised as ''Indian made.'' To aid in this mission, the board operates three regional museums including the Southern Plains Indian Museum in Anadarko, Oklahoma; the Museum of the Plains Indian in Browning, Montana; and the Sioux Indian Museum in Rapid City, South Dakota.

In 1935 Congress recognized, under the first Indian Arts and Crafts Act, the unique and culturally rich art of the American Indian is vital to the importance of the economic welfare of tribal communities. The production and sale of these items provide an entrepreneurial opportunity to one of the most economically challenged groups of our society. These three museums play an essential role in promoting the ideals set forth in the Indian Arts and Crafts Act by creating interest in the Native American heritage, helping Indian artisans gain access to an interested market, and bringing members of the Indian arts community together to celebrate and preserve this way of life.

The collections showcased by the museums are extensive in their display of American Indian artwork and artifacts. And to preserve the history and integrity of these priceless collections, the museums must stay intact and the collections under their roofs must stay in Federal control.

I stand today in full support of appropriations to support the mission of the Indian Arts and Crafts Board and insist that the funding and operation of the three Regional Indian Arts and Crafts Museums remain a continued, imperative part of this mission.

Mr. Chairman, it is the understanding of the committee that Congress charged the Indian Arts and Crafts Board with developing and expanding the market for the products of Indian art as well as protecting the integrity of such items through prohibiting and investigating instances of misrepresentation of ''Indian-made'' products.

Mr. DICKS. Madam Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Washington.

Mr. DICKS. That is correct.

Mr. LUCAS. Mr. Chairman, it is the understanding of the committee that the funding and operation of the three Regional Indian Arts and Crafts Museums in their housing, preserving, and promoting Native American history, art, and culture is clearly an essential part of the mission that Congress charged the Indian Arts and Crafts Board with.

Mr. DICKS. That is correct.

Mr. LUCAS. Mr. Chairman, I want to clarify that that it is the intent of the committee that the money provided for the fiscal year 2008 Interior appropriations bill for the continued functions of the Arts and Crafts Board does include the operation of those three museums.

Mr. DICKS. The gentleman is correct. It is the intent of the committee to continue the operation of the three museums, and I appreciate the gentleman's interest in artwork on this important issue.

Mr. LUCAS. Madam Chairman, reclaiming my time, I thank the chairman and the ranking member and the committee for their very diligent work this year.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $110,242,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 106–393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section

211(b) of that Act, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, $806,644,000, to remain available until expended, of which not to exceed $4,000,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

Section 28 of title 30, United States Code, is amended: (1) in section 28 by striking the phrase ''shall commence at 12 o'clock meridian on the 1st day of September'' and inserting ''shall commence at 12:01 ante meridian on the 1st day of September''; (2) in section 28f(a), by striking the phrase ''for years 2004 through 2008''; and (3) in section 28g, by striking the phrase ''and before September 30, 2008,''.

Sums not to exceed one percent of the total value of procurements received by the Bureau of Land Management from vendors under enterprise information technology-procurements that the Department of the Interior and other Federal Government agencies may use to order information technology hereafter may be deposited into the Management of Lands and Resources account to offset costs incurred in conducting the procurement.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $1,104,572,000, to remain available until September 30, 2009 except as otherwise provided herein: *Provided*, That $2,500,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: *Provided further*, That not to exceed $18,763,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $12,926,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2007: *Provided further*, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate: *Provided further*, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $31,653,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $43,046,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, $81,001,000, to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $14,202,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, as amended, *(16 U.S.C.* 4401–4414*)*, $42,646,000 to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act, as amended (16 U.S.C. 6101 et seq.), $5,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301–6305), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6301–6305), $10,000,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally-recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $85,000,000, to remain available until expended: *Provided*, That of the amount provided herein, $7,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $5,000,000 is for a competitive grant program for States, territories, and other jurisdictions with approved plans, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary

shall, after deducting said $12,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant if its comprehensive wildlife conservation plan is disapproved and such funds that would have been distributed to such State, territory, or other jurisdiction shall be distributed equitably to States, territories, and other jurisdictions with approved plans: *Provided further*, That any amount apportioned in 2008 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2009, shall be reapportioned, together with funds appropriated in 2010, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That, notwithstanding any other provision of law, the Service may use up to $2,000,000 from funds provided for contracts for employment-related legal services: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That, notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including expenses to carry out programs of the United States Park Police), and for the general administration of the National Park Service, $2,046,809,000, of which $9,965,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which $100,164,000, to remain available until September 30, 2009, is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, environmental studies, and comprehensive facility condition assessments; and of which $4,000,000 shall be for the Youth Conservation Corps and the Public Lands Corps (Public Law 109–154) for high priority projects.

AMENDMENT NO. 16 OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. HASTINGS of Florida:

Page 18, line 23, after the first dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

Mr. HASTINGS of Florida. Madam Chairman, I rise today to offer an amendment with my good friend, Congressman MICHAEL CASTLE of Delaware, to the Department of the Interior, Environment, and Related Agencies Appropriations Act for fiscal year 2008.

Our amendment designates $1 million of the increase in appropriations to the National Park Service for operations and grants affiliated with the National Underground Railroad Network to Freedom.

Madam Chairman, Members on both sides of the aisle agree that the National Underground Railroad Network to Freedom is a phenomenal resource of the National Park Service. Interest in the network continues to grow within affiliates in 28 States and the District of Columbia now operating since its inception in 1998. More opportunities than ever are now available for families throughout the Nation to engage in interpretive learning experiences related to the significant triumph of the underground railroad.

Madam Chair, the President's request of $493,000 for the operation demonstrates a slight increase for the network, but the true problem lies in the lack of grants for affiliates. The grant opportunities for network affiliates have only been funded three times since the establishment of the network in 1998 and woefully less than the $2.5 million authorized in the establishing legislation.

Our amendment is not just about preserving black history. Madam Chair, it is about preserving American history, and we cannot let our history be forgotten. Indeed, once Congress establishes a phenomenal program such as this, it should be ready to take the necessary action to ensure its perpetuity. This is our past and we must be faithful stewards of it.

I would like to thank Chairman DICKS and Ranking Member TIAHRT for their help in bringing this timely amendment to the floor today.

Madam Chairman, I would like to, at this time, yield to my friend, Mr. CASTLE.

Mr. CASTLE. Madam Chairman, let me thank the gentleman from Florida tremendously for his work on this. And I, too, rise in strong support of the Hastings-Castle amendment expressing congressional intent that the operations and grants budget for the Underground Railroad Network to Freedom program receive adequate funding.

I understand Chairman DICKS and Ranking Member TIAHRT are willing to accept the amendment; so I will be brief.

By helping local communities share the stories of the men and women who resisted slavery through escape and flight in the underground railroad, the Network to Freedom is a tremendous historical resource. Without continued and adequate funding, efforts to operate and provide grants to support a variety of underground railroad preservation and interpretive projects throughout the United States will be greatly diminished.

Promoting programs and partnerships to commemorate this time in history and educating the public about the historical significance of the underground railroad are vital. It is for this reason we offer this amendment today.

Again, I would like to thank the distinguished gentleman from Florida. We in Delaware have a lot of involvement with the underground railroad during that time. I think it is a significant part of our history.

Mr. DICKS. Madam Chairman, will the gentleman from Florida yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Madam Chairman, we are prepared to accept the amendment.

I want to commend the gentleman from Florida and the gentleman from Delaware for their outstanding leadership. This is a very important issue. And as we understand it, this would come out of existing funds within the park service?

Mr. HASTINGS of Florida. That is correct.

Mr. DICKS. With that understanding, Madam Chairman, we accept the amendment.

Mr. TIAHRT. Madam Chairman, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Kansas.

Mr. TIAHRT. Madam Chairman, I want to thank the gentleman from Florida and commend him on his leadership on this issue and also the gentleman from Delaware (Mr. CASTLE).

I think this is a very important time in American history that we need to capture and preserve for future generations. So congratulations. We have no objection to this amendment.

Mr. HASTINGS of Florida. Reclaiming my time, thank you, Chairman DICKS, Ranking Member TIAHRT, and Governor CASTLE.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 32 OFFERED BY MR. WEINER

Mr. WEINER. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Mr. WEINER:

Page 18, line 23, insert ''(increased by $1,000,000)'' after the first dollar amount.

Page 39, line 17, insert ''(reduced by $1,000,000)'' after the first dollar amount.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WEINER. Madam Chairman, I doubt I will take the full 5 minutes.

As remarkable as it might seem to anyone who is listening to these remarks, there is one national park in our country that was closed after September 11 that remains closed to this day.

We all remember that after September 11, there was kind of a general lockdown. We weren't sure what was going to happen next. National parks throughout the country were closed. That included this building. It included the White House. It included, frankly, monuments, memorials, and parks throughout the country.

Almost immediately thereafter, with some changes to security, some more enhanced like this building, some less so like some national parks, every single one of the national parks and institutions was reopened, except for one: the Statue of Liberty. Perhaps the single most symbolic of all parks, the Statue of Liberty remains closed to this day. It is true you can take a ferry and go around the Statue of Liberty. It is even true that you can go to its base, walk inside, and tap Lady Liberty's toes. But the Statue of Liberty and its iconic stairway that leads to the very top, to the crown, where all of us or so many of us remember standing on our tiptoes to see that regal view, remains closed today.

Now, my colleagues, you might be wondering how could it be nearly 7 years after September 11 the park is still closed? Let me tell you a few reasons why it is not the case.

First of all, there has been plenty of money. This committee and private beneficiaries have raised over $20 million for security enhancements, for changes. In fact, we all remember after September 11 a foundation was formed, Folger's and American Express and all kinds of institutions, the Daily News, my hometown newspaper. Kids were gathering up pennies and dimes and nickles. So there was no shortage of money. But we do know what there appears to be a shortage of, and that is imagination or courage on the part of the National Park Service.

We in this House, by a resounding fashion last year, 266 of us voted to say open up Lady Liberty to her crown. But the National Park Service, after years of kind of thinking about it and scratching their chin and twiddling their hair and flipping through papers, last year, at the urging of Mr. DICKS and others, finally sent this body a letter that said, ''we have concluded that the current access patterns reflect a responsible management strategy in the best interests of all our visitors.''

□ 1245

Well, that is bureaucratic speech, saying to Congress and the American people, take a hike, we're going to do what we want. Saying to the chairman of the committee, the ranking member, 266 of us, We don't care what your views are, we don't care about the private donations, we don't care about the reasonable accommodations that can be made, we're not opening up the Statue of Liberty.

And I say reasonable accommodations because there are things that can be done. Look, there is no doubt about it, there are narrow staircases, there are narrow passageways, not as narrow as this building, and there are sensitive locations, not as sensitive as the White House, but we've figured out ways to accommodate visitors, although in a limited fashion, in those places.

My colleague, Congressman SIRES, who is here today to offer this amendment with me and who I, regretfully, have to admit, according to the Supreme Court, that the Statue of Liberty is in his district. Although I would point out that Lady Liberty's caboose faces New Jersey, not her proud crown. But I want to thank him for all that he has done and for seeing that this is a national issue.

Let me just say this in closing: you know, we have heard it thrown around a lot, We mustn't let the terrorists win, We mustn't let the terrorists win. Can you imagine the symbolic sacrifice and the symbolic surrender we have made by saying that, because there are security concerns, we're not going to reopen the Statue of Liberty? How many of us don't remember the experience of climbing those narrow staircases?

So what does this amendment do? This amendment says, you say you can't do it? We're going to give you another million dollars to do it. It takes $1 million and strikes it from the administration's account, puts it in the National Park Service account and says, if you need more money, here it is.

I also want to thank my colleagues on the Resources Committee, subcommittee Chairman GRIJALVA, full committee Chairman RAHALL, for considering and tentatively agreeing to do hearings to look into this.

This is simply wrong. And to my chairman, Mr. DICKS, and to my ranking member, Mr. TIAHRT, there are no stronger advocates for the National Park Service than they, no stronger protectors of the national budget than they.

This is not a frivolous idea. This is Lady Liberty. This is making sure we restore the dignity of our National Park Service everywhere, but particularly in this most symbolic place.

Mr. SIRES. Madam Chair, I move to strike the last word.

I really want to thank Congressman WEINER, this has been an issue that is close to his heart, for offering this amendment.

Let me start my remarks talking a little bit about 9/11. I was the mayor of a small community across from New York, and I was a citizen. I watched as the Towers burned. I will never forget that vision in my mind. It was a symbolic blow to the Nation's spirit. But we have recovered our spirit. Today, America stands strong and proud again. And an important part of the recovery is due to the fact that we were able to get back to work. In short, we got back our lives.

As the Secretary of the Interior, Ms. Norton, said on September 12, 2001 while standing at the Hoover Dam, ''Even though atrocities such as those of September 11 can affect us, they cannot close us down.'' That is why I am cosponsoring this amendment today.

The only national park that remains closed from 9/11 is the crown of the Statue of Liberty. I hope that with this amendment we will open up the crown for visiting once again.

Yes, it is symbolic, but symbols are important. And let me say that there are three sites that most immigrants, when they come to the area, like to look at. One is the Statue of Liberty, the other is going up the Empire State Building, and the other is Niagara Falls. We can go to the other two, but we cannot go all the way up to the Statue of Liberty.

I thank my friend from New York for proposing this amendment and for his time.

Mr. DICKS. If the gentleman will yield, I want to commend the gentlemen from New York and New Jersey for their leadership, and I urge that the committee adopt this amendment.

Mr. WEINER. Will the gentleman yield?

Mr. SIRES. I will yield.

Mr. WEINER. I want to offer my gratitude to the chairman, who has been helpful to us all throughout, and the ranking member, Mr. TIAHRT, for all that they have done.

Mr. DICKS. And by the way, we have a new director of the National Parks Service. I think it may be good to give her an opportunity to review this, too. So I think we ought to give her another chance to look at this.

Mr. SIRES. We do have the Statue of Liberty in New Jersey, and we have the better side facing New Jersey.

Mr. TIAHRT. Will the gentleman yield?

Mr. SIRES. Absolutely.

Mr. TIAHRT. I would like to say I have no objection to this, and I appreciate the gentlemen from New York and New Jersey for attempting to open up the steps of Liberty once again.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

The amendment was agreed to.

Mr. OLVER. Madam Chairman, I move to strike the last word.

First I want to commend the chairman and the ranking member for bringing forward a very good bill. And I want to also commend the chairman and the ranking member for agreeing to the amendment that has just been adopted. But I want to put that a little bit in context here.

I have to say that I was surprised and somewhat chagrinned by the characterization of the ranking member of the full committee when he described this legislation, this whole legislation, as having an excessive and overgenerous allocation. I don't really think that that is the case, and the Park Service programs within this bill are a perfect example of that.

We are coming up on the 100th anniversary of the National Park Service and have a lot of work to do to bring that up to a state of good repair, the facilities of the National Park Service up to a state of good repair.

The Park Service embarked on a program to try to repair some damage that has been done, particularly in the fiscal years 2005 and 2006. The reduction in budget compared with what would be, including inflation, the necessary funding to keep the maintenance of service in the Park Service programs is close to 20 percent in those two fiscal years. And in fiscal year 2007, we were able to virtually level fund the budget for programs within the Department of the Interior and the Park Service at just no increase. But now this year, with this legislation, there is an additional $105 million in the legislation for the increase in the Park Service's base funding which should allow them to begin to make some additions in the maintenance, the backlog of maintenance, which is so well described in the previous amendment, and the need at one of our greatest, most important national monuments, the Statue of Liberty, to make that available to the public.

We have hundreds of millions of people in total that visit our national parks, our national monuments, our historic sites, our fish and wildlife refuges, and the maintenance backlog is in the billions of dollars level, of which $105 million to deal with the backlog needs in the Park Service's accounts is only a small portion of what is needed to bring up our facilities that serve those hundreds of millions of the public who visit at all these variation locations each year, to bring them up to a state of good repair. So I think that it is important that we provide those monies.

I know there will be other amendments. I will be supportive of those amendments, which also increase the amounts that can go, reasonably, into state of good repair for our facilities under the Park Service for those national parks, historic sites and national monuments that we so badly need in good repair for the visitation and for the education of the public.

The Park Service system is a national treasure, and it must be preserved and valued for our future generations.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

Page 18, line 23, insert ''(increased by $100,000,000)'' after the first dollar amount.

Page 58, line 3 insert ''(reduced by $62,000,000)'' after the dollar amount.

Page 59, line 3 insert ''(reduced by $160,000,000)'' after the dollar amount.

Page 66, line 23, insert ''(reduced by $1,000,000)'' after the dollar amount.

Mr. DICKS. Madam Chair, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. KING of Iowa. Madam Chair, the amendment that I offer here today is an amendment that reaches out and directs $100 million to the National Parks Service for the purpose of putting up barriers on our border. This comes from one of my multiple trips down to the region where I sat and talked with a number of the park officers and visited the border parks that we have. And I can take you down through the pieces of this argument, but I think the centerpiece of it was addressed by Mr. BISHOP of Utah, when he talked about one-third of the Organ Pipe Cactus National Monument being set aside off limits to American citizens, to American tourists because it has been so inundated by illegals and by drug smugglers and drug traffickers and litter that when I asked to go to that area, they said it's not safe, we don't have the personnel to take you. So it's essential that we protect these national treasures that we have, these national parks and national monuments.

I want to reflect upon an example here, Madam Chair, and that is this poster that I have. This shows the entrance to the lesser long-nosed bat cave. It's one of four maternal bat caves in the United States. And this is an endangered species. This is a location where illegals used to go in and hole up. And their constant presence there drove the bats out. The 4,000 bats that lived here were driven to other places. They found $75,000 in their budget and volunteer labor and went to build and construct this barrier around the bat cave to keep the illegals out. The bats returned, thankfully. But we have other species, and we have this precious area.

And if I can reflect back, Madam Chair, just upon my notes with a meeting with the director of one of our national parks on the border. First, he said we were concerned about disease, hoof and mouth disease, for example, as I am. But from 1978 to 1984, there wasn't much of a problem with illegal traffic. By 1989, activity had picked up. By 1999, 13 miles of fence were stolen. By the year 2002, ''everything went haywire.'' The numbers increased dramatically, 20 to 25 cars at any one time abandoned, litter all over the parks, 20,000 pounds of drugs recovered just on that refuge alone. And his question is not, what are you going to give me? But what can I cut in order to save these national parks?

So I've made a recommendation on what to cut, Madam Chair, and it reaches out into three different areas to come up with $100 million so that we can protect these national parks along our border from this traffic. When it gets so bad that the litter is so bad that we won't let Americans drive by on the road and look, when it gets so bad that a Member of Congress can't get an escort with enough armed personnel to go down into one-third of the Organ Pipe Cactus National Monument, the location where Park Officer Chris Eggle was killed in the line of duty in order to intercept a drug smuggler across the border, I call upon this Congress, Madam Chair, to do something. And the director of this park said to me, a year or two or five ago, I would have said don't build a fence, don't build a wall, I don't want that mark across my monument. Today I say, that's what will preserve the rest of it.

So I think that makes my strongest argument. We need to find the funds to protect our precious national resources. There should be not one square foot of a national park that an American citizen is off limits to because we can't protect it from infiltrators that come from across the border to smuggle drugs and commit crimes.

So I would urge adoption of this amendment.

Mr. DICKS. Madam Chairman, I rise in opposition to the gentleman's amendment.

First of all I want to say that I am a strong supporter of our national parks. And our committee takes a back seat to no one. My problem with this amendment is the source of the offset.

The bill provides a $223 million increase for our national parks, for the 10-year $3 billion Centennial Challenge effort to restore the parks for the 100th anniversary of the founding of the Park Service.

□ 1300

The bill also includes $50 million in discretionary funds for the Centennial Challenge projects. These funds will support enhancements in our parks beyond the funding necessary for core operations. This is the best bill for the parks in decades, but I cannot support

a wholesale gutting of the important work done by the Environmental Protection Agency. The gentleman's amendment would severely cut two of EPA's most important programs. He proposes to reduce by $160 million the Superfund program that cleans up toxic waste sites across our country.

Currently, there are over 1,400 Superfund sites. More than 6 million people live within 1 mile of a Superfund site and 76 million live within 4 miles of these sites.

Our bill increases Superfund above the request. Why? Because as the Superfund program matures, the remaining sites are more complex, take longer to clean up, and require more funding. How do we explain the proposed reduction to those 76 million Americans? Do you ask them to wait even longer to remove the hazardous substances in their neighborhoods?

The amendment would also cut EPA's core environmental programs, those funded through the environmental programs and management account.

The account funds the activities which are the backbone of the Nation's environmental programs. EPA sets pollutant abatement standards. It issues permits to control these standards. It enforces those permits to ensure compliance with environmental standards. This account funds programs that control toxic air pollutants which threaten to poison our cities.

This account funds the Energy Star program, a program that most Americans know by name and trust, a program that has saved Americans $12 billion in energy costs in 2005 alone. This account funds the programs which license pesticides that control harmful exposures. This account funds programs which protect children, our most precious resource, from indoor air pollutants. With the geographic programs funded through this account, EPA helps to protect the great, and unfortunately threatened, waterways of our Nation

Madam Chairwoman, I am certainly a great supporter of the parks. I believe the underlying bill is proof of that. But I cannot support an effort to reduce the programs that are the fundamental basis for our Nation's environmental protection.

I urge a no vote on the gentleman's amendment.

The CHAIRMAN. Does the gentleman withdraw his reservation of a point of order?

Mr. DICKS. Madam Chairman, yes, I withdraw my reservation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

The Clerk will read.

The Clerk read as follows:

CENTENNIAL CHALLENGE

For expenses necessary to carry out provisions of section 814(g) of Public Law 104–333 relating to challenge cost share agreements, $50,000,000, to remain available until expended for Centennial Challenge signature projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program is derived from non-Federal sources in the form of donated cash, assets, in-kind services, or a pledge of donation guaranteed by an irrevocable letter of credit.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $62,881,000.

HISTORIC PRESERVATION FUND

(INCLUDING TRANSFERS OF FUNDS)

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $81,500,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2009; of which $20,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts and of which $10,000,000 shall be for Preserve America grants to States, Tribes, and local communities for projects that preserve important historic resources through the promotion of heritage tourism: *Provided*, That any individual Save America's Treasures or Preserve America grant shall be matched by non-Federal funds; individual projects shall only be eligible for one grant; and all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: *Provided further*, That Save America's Treasures funds allocated for Federal projects, following approval, shall be available by transfer to appropriate accounts of individual agencies.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $201,580,000, to remain available until expended: *Provided*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the requirements of the fifth proviso under this heading in Public Law 108–108: *Provided further*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation only if matching funds are appropriated to the Army Corps of Engineers for the same purpose: *Provided further*, That none of the funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation if any of the funds appropriated to the Army Corps of Engineers for the purpose of implementing modified water deliveries, including finalizing detailed engineering and design documents for a bridge or series of bridges for the Tamiami Trail component of the project, becomes unavailable for obligation.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2008 by 16 U.S.C. 4601–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $99,402,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $50,000,000 is for the State assistance program.

ADMINISTRATIVE PROVISIONS

If the Secretary of the Interior considers that the decision of any value determination proceeding conducted under a National Park Service concession contract issued prior to November 13, 1998, misinterprets or misapplies relevant contractual requirements or their underlying legal authority, then the Secretary may seek, within 180 days of any such decision, the de novo review of the value determination by the United States Court of Federal Claims. This court may make an order affirming, vacating, modifying or correcting the determination.

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for possessory interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

A willing seller from whom the Service acquires title to real property may be considered a ''displaced person'' for purposes of the Uniform Relocation Assistance and Real Property Acquisition Policy Act and its implementing regulations, whether or not the Service has the authority to acquire such property by eminent domain.

Section 3(f) of the Act of August 21, 1935 (16 U.S.C. 463(f)), related to the National Park System Advisory Board, is amended in the first sentence by striking ''2007'' and inserting ''2009''.

Mr. KIRK. Madam Chairman, I move to strike the last word.

Madam Chairman, I rise today just to support this legislation which increases funds, provides programs that protect our national forests and parks and enhance our clean water infrastructure. The bill also provides more than $1.3 billion for Great Lakes restoration and protection programs and an increase of $32 million over fiscal year 2007.

Providing water, jobs, food and recreation for more than 40 million people, the Great Lakes are one of our Nation's most valuable natural habitats. It is critical that we continue to support programs and provide funds that ensure the restoration and preservation of this National treasure.

Now, in this bill we fund the Great Lakes Legacy Act, which is a critical component of this ecosystems restoration. It provides funds for the cleanup of the most polluted sites in the region. There are 26 of these sites designated

officially as areas of concern located wholly within the United States and then five more inside Canada. From six of the projects that we receive funding since the program's inception, the EPA estimates that over 1.2 million cubic yards of contaminated sediments will be removed.

Madam Chairman, I really want to thank Chairman DICKS and ranking member TIAHRT for working with me to increase funds above the President's request to provide $37 million for this program, which is an increase of over $7 million last year.

I also want to thank these gentlemen for providing an increase of roughly $3 million to the National Great Lakes Program Office to fund additional staff to implement the Legacy Act. The aid will help us to eliminate the backlog in reviewing proposals to speed up the cleanup of polluted sites.

Madam Chairman, I just want to thank the two gentlemen. I am in favor of this legislation.

Mr. DICKS. Madam Chairman, if the gentleman will yield, first of all, I appreciate the gentleman's support for our overall bill, but I want to acknowledge his leadership on the Great Lakes. We have some incredible programs in the Great Lakes. The gentleman has come to us and offered a very positive amendment. We are concerned in my part of the world about Puget Sound. Our vice chairman, Mr. MORAN, is concerned about the Chesapeake Bay. We are concerned about all of our National estuaries. But the Great Lakes are particularly important, and I appreciate the gentleman's input on this issue.

Mr. TIAHRT. Madam Chairman, if the gentleman will yield, I also want to congratulate the gentleman from Illinois for his persistence in pursuing environmental issues in the Illinois area as well as across the United States. It is very important that we have clean air and clean water for our children and grandchildren.

The gentleman's leadership has been excellent. Also I want to acknowledge his special recognition of the Great Lakes and taking care of them. He has been worried about the fish life as well as the quality of the water. I congratulate the gentleman in these efforts there.

Mr. KIRK. Madam Chairman, reclaiming my time, this is a very good bill. I want to thank both these gentlemen. I want everyone who is part of the 40 million Americans that depend on the Great Lakes for their drinking water to know that this appropriations bill is pro-Great Lakes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,032,764,000, to remain available until September 30, 2009, of which $63,345,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which $32,150,000 shall remain available until expended for satellite operations; of which $8,023,000 shall be available until expended for deferred maintenance and capital improvement projects; and of which $187,114,000 shall be for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; for energy-related or other authorized marine-related purposes on the Outer Continental Shelf; and for matching grants or cooperative agreements, $153,552,000, to remain available until September 30, 2009, of which $82,371,000 shall be available for royalty management activities; and an amount not to exceed $135,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent $135,730,000 in addition to receipts are not realized from the sources of receipts stated above, the amount needed to reach $135,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That for the costs of administration of the Coastal Impact Assistance Program authorized by section 31 of the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1456a), MMS in fiscal years 2008 through 2010 may retain up to three percent of the amounts which are disbursed under section 31(b)(1), such retained amounts to remain available until expended.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,403,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

ADMINISTRATIVE PROVISIONS

The eighth proviso under the heading of ''Minerals Management Service'' in division E, title I, of the Consolidated Appropriations Act, 2005 (Public Law 108–447), is amended by inserting ''and Indian accounts'' after ''States'', replacing the term ''provision'' with ''provisions'', and inserting ''and (d)'' after 30 U.S.C. 1721(b).

None of the funds in this Act shall be used to transfer funds from any Federal royalties, rents, and bonuses derived from Federal onshore and offshore oil and gas leases issued under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) and the Mineral Leasing Act (30 U.S.C. 181 et seq.) into the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund.

Notwithstanding the provisions of section 35(b) of the Mineral Leasing Act, as amended (30 U.S.C. 191(b)), before disbursing a payment to a State, the Secretary shall deduct 2 percent from the amount payable to that State and deposit the amount deducted to miscellaneous receipts of the Treasury.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $117,337,000, to remain available until September 30, 2009: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants

to States, moneys collected in fiscal year 2008 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $52,774,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $2,093,545,000, to remain available until September 30, 2009 except as otherwise provided herein, of which not to exceed $80,179,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster; notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $149,628,000 shall be available for payments for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2008, as authorized by such Act, except that federally-recognized tribes may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; of which not to exceed $487,500,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2008, and shall remain available until September 30, 2009; and of which not to exceed $66,822,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $44,060,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2007 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to grantees that enter into grants for the operation on or after July 1, 2007, of Bureau-operated schools: *Provided further*, That any forestry funds allocated to a federally-recognized tribe which remain unobligated as of September 30, 2009, may be transferred during fiscal year 2010 to an Indian forest land assistance account established for the benefit of the holder of the funds within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2010.

□ 1315

AMENDMENT NO. 30 OFFERED BY MR. SHAYS

Mr. SHAYS. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Mr. SHAYS:

Page 31, line 11, after the dollar amount, insert ''(decreased by $1,000,000) (increased by $1,000,000)''.

Mr. SHAYS. Madam Chairman, this amendment would designate $1 million for the Office of Federal Acknowledgment, bringing the total for the office from $1.9 million to $2.9 million, enabling the bureau to hire two additional teams of investigators to speed up the review process for petitions. Presently, there are seven active petitions and nine waiting petitions, but there are 79 uncompleted petitions and there are letters of intent for 147.

The fact is in the last 10 years they have granted to only two tribes through the process, and, as I remember, seven tribes were denied, out of a total of nine. This is a long process. It requires individuals with tremendous expertise to evaluate these petitions.

I would note that when we create an Indian tribe, we create a sovereign nation. We create an independent nation within these United States. So this is very serious business.

I would just point out that already this year we have bypassed the Bureau of Indian Affairs in one legislation that created acknowledgment for six tribes, and in a second legislation acknowledging another tribe. The argument was that the Bureau of Indian Affairs simply couldn't act as quickly as it needs to.

Mr. DICKS. Madam Chairman, if the gentleman will yield, the gentleman has raised an important issue here, and we are prepared to accept his amendment.

Mr. TIAHRT. Mr. Chairman, if the gentleman will yield, I want to thank the gentleman from Connecticut for working with the committee on this very important issue. Truly they have a backlog. Without your looking into this issue, we never would have made the kind of progress that is going to be made because of your efforts. So I want to congratulate the gentleman, and I have no objection to the amendment.

Mr. SHAYS. Madam Chairman, reclaiming my time, I just want to acknowledge the good work of both the chairman and ranking member, not just on accepting this amendment, obviously, but the tremendous work in terms of the arts, in terms of our natural resources.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $207,983,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2008, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of replacement school construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction of the replacement

school: *Provided further*, That this Appropriation may be reimbursed from the Office of the Special Trustee for American Indians Appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 107–331, 108–447, 109–379, 109–429, and 109–479, and for implementation of other land and water rights settlements, $39,136,000 to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, $6,276,000, of which $700,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $85,506,098.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations and regional offices) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any federally-recognized tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding 25 U.S.C. 2007(d), and implementing regulations, the funds reserved from the Indian Student Equalization Program to meet emergencies and unforeseen contingencies affecting education programs appropriated herein and in Public Law 109–54 may be used for costs associated with significant student enrollment increases at Bureau-funded schools during the relevant school year.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $136,413,000, of which $35,262,000 for activities related to the Financial and Business Management System shall remain available until expended, and of which not to exceed $15,000 may be for official reception and representation expenses, and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

AMENDMENT NO. 14 OFFERED BY MR. DICKS

Mr. DICKS. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. DICKS:

Page 39, line 17, after each dollar amount, insert ''(reduced by $5,000,000)''.

Page 55, line 22, after the second dollar amount, insert ''(reduced by $5,000,000)''.

Page 58, line 3, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 60, line 24, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 61, line 16, after the dollar amount, insert ''(increased by $15,000,000)''.

Mr. DICKS. Madam Chairman, I offer this amendment on behalf of myself and a number of distinguished Members from the Border Caucus. The committee has supported EPA's Mexican Border Program since its inception in 1995. Since that time, we have provided over $800 million for infrastructure projects along the border. I am proud of that and believe this program is an important one.

The bill as reported by the committee included $10 million for water and waste water infrastructure projects along the U.S.-Mexican border. This is the amount requested by the President, but $40 million below the level provided last year. Our committee took this action because of concerns about a slow spending rate in the program. Since that time, a number of Members, including a distinguished member of the committee, Mr. RODRIGUEZ of Texas, have provided new information on this program.

Specifically, the reforms recently made to the design, approval, and construction process will ensure the funds are spent more quickly. Because of that information, I am pleased to offer this amendment on their behalf, which provides an additional $15 million for this program, for a total program of $25 million in fiscal year 2008.

It is never easy to find offsets for these types of amendments. That said, my amendment includes three programs in order to provide the necessary increases for the border program. The reductions are as follows:

Within the Department of Interior Salaries and Expense Account, $5 million from the Financial and Business Management System, which has been delayed by the Department.

Within EPA's Science and Technology Account, $5 million from the new Water Technologies Breakthrough Fund.

Within EPA's Environmental Programs and Management Account, $5 million from Operations and Administration.

With this additional funding, I hope we will see many new water and waste water infrastructure projects along the border. This committee has been and will continue to be very supportive of this important program.

Again, I thank the Members from the border States, especially Mr. RODRIGUEZ, a member of the full committee, for bringing this issue to my attention. I urge a ''yes'' vote on this amendment.

Mr. TIAHRT. Madam Chairman, if the gentleman will yield, I do not have any objection to this amendment, and I would commend the chairman on his leadership in this area.

Mr. HINOJOSA. Madam Chairman, I rise today in support of the amendment offered by my friend, Chairman NORMAN DICKS. I want to commend him for the wonderful job he did in putting this bill together. I also want to thank him for his willingness to work with me and the other members of the House Border Caucus to address a serious need in the border region.

This amendment would increase funding for the U.S.-Mexico Border program to $25 million. This program was created under the NAFTA treaty to

help border communities cope with the environmental effects of the treaty. Since its inception, the fund has been used to improve wastewater and drinking water infrastructure. It has provided technical assistance to 130 communities. It has eliminated 300 million gallons per day of untreated or inadequately treated discharges, equivalent to that of 6.8 million persons. A recent audit found that for every dollar placed into the BEIF fund, $1.85 has been leveraged from other sources. Every dollar used under the fund by the U.S. is matched dollar for dollar by Mexico.

This funding is desperately needed to begin the planning for new water and wastewater projects along the U.S.-Mexico border. Most of the communities in my district are very small with the majority of residents living below the poverty level. They don't have the financial means to build water and wastewater infrastructure on their own. The U.S.-Mexico Border program is their only avenue to protect the health of their citizens and bring economic development projects to their community.

While the U.S.-Mexico Border program has had some institutional problems, which have hindered its ability to release funds to these communities, Congress has made reforms to the program and funds are finally flowing to communities. All of the funds currently in the program are allocated to projects and by the end of 2008 all of the money will have been disbursed. Without the funds in this amendment, new communities would not be able to begin the 5-year process.

In my district, several communities like Mercedes, Donna, Weslaco, Pharr, and others have received help from the U.S.-Mexico program to build and modernize their wastewater systems. As a result, large economic development projects are underway because the communities finally have the infrastructure to provide services to new employers.

Again, I want to thank Chairman DICKS for offering this amendment and urge all of my colleagues to support it.

Mr. ORTIZ. Madam Chairman, I rise in support of the Interior Appropriations bill before us today which includes money for South Texas to address water and wastewater issues along the Border.

I particularly thank Chairman NORM DICKS—who, on behalf of the Congressional Border Caucus, offered to increase funding for the Environmental Protection Agency's (EPA) Mexican Border program for safe drinking water grants by $15 million, providing a total of $25 million for these important grants.

NAFTA brought both challenges and windfalls to South Texas. As South Texas became the front door for international trade, the unemployment rate—at that time in double digits—fell to its present rate as jobs and opportunities became more widely available.

NAFTA also brought about greater growth and entire new industries, some cross-border industries. Congress' concerns about the border infrastructure for water and wastewater brought about the Border Environment Cooperation Commission (BECC) as part of the North American Development Bank. BECC funding has become a resource for border communities, whose infrastructure now bears the national burden of NAFTA; and NAFTA benefits the entire national economy.

These funds added to the Interior Appropriations bill today assist communities in addressing public health and environmental conditions along the U.S.-Mexico border. This money has been instrumental in getting almost seven million people connected to improved water and wastewater systems, ensuring improved living conditions for the residents of Texas, as well as other border states. Through these funds, 54 wastewater projects and 16 drinking water projects have been built.

In my South Texas district the City of San Benito, the Brownsville Public Utilities Board, Olmito Water Supply, El Jardin Water Supply Corporation and the City of Los Fresnos have benefited from these funds.

Mr. CUELLAR. Madam Chairman, I commend Chairman NORM DICKS and Ranking Member TODD TIAHRT for putting forward a good piece of legislation.

I want to especially thank Chairman DICKS for offering his amendment to increase funds for Border Environment Infrastructure Fund (BEIF).

Since 1997, this important program has provided essential funding support for drinking water and wastewater infrastructure in the U.S.-Mexico border region.

Every project receiving BEIF, whether located in the U.S. or Mexico, has provided an environmental and human health benefit for American citizens.

$491 million of BEIF, 54.2 percent to U.S. projects and 45.7 percent to projects in Mexico, for the implementation of 54 certified projects valued at $1.4 billion, many of which are located in rural communities and designated colonias.

The need in these communities is great.

The projects resulting from the BEIF allocations have provided a direct benefit to around 7.5 million people.

Even with such significant accomplishments, the need for water and wastewater infrastructure continues to exist along the U.S.-Mexico border.

Nearly $1 billion of existing water infrastructure needs have been documented.

Even with the leveraging strength of BEIF, which has historically brought $1.85 to each BEIF $1.00, we anticipate that less than 5 percent of these eligible needs will have an opportunity for funding without this amendment.

Without the opportunity to access these sources of funding, the health and environment of our communities will continue to suffer.

I want to once again thank Chairman DICKS for offering this amendment, and urge my colleagues to support his action.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. DICKS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CANNON

Mr. CANNON. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON:

Page 39, line 17, insert ''(decreased by $23,000,000)'' after the first dollar amount.

Page 44, line 23, insert ''(increased by $20,148,000)'' after the first dollar amount.

Mr. DICKS. Madam Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. A point of order is reserved.

Mr. CANNON. Madam Chairman, I rise in support of this amendment that I offered on behalf of myself, Mr. MARK UDALL, Mr. ROB BISHOP, Mr. MATHESON, Mr. HELLER, Mr. SALAZAR, and Mrs. MUSGRAVE. This bipartisan amendment will redirect roughly $20 million in departmental salaries and expenses to the Payment in Lieu of Taxes program to bring the total appropriation to nearly $253 million.

I am pleased to be working with this bipartisan group and thank my colleagues for their support. All of us have something in common. We represent some of the 1,900 counties spread across every State but Rhode Island that have public lands that rely on the Payment in Lieu of Taxes program to mitigate the impact of the lost tax revenue resulting from Federal land ownership.

The Federal Government owns nearly 650 million acres of land, mostly in the West. We have a map here that shows all the land owned or held in the trust by the government in red. It is important to see exactly how much of the land in the West is owned by the Federal Government. In fact, the amount of land owned by the Federal Government is amazing.

This is an amazing amount of Federal ownership and control by the Federal Government. That means that we do not tax those lands and that means that in the Western United States we pay less per child for education, but we tax our people more per family because we are supporting the Federal Government. In other words, we don't tax these lands; we tax ourselves more.

As the chairman of the Western Caucus, I know all too well that my fellow colleagues throughout the West are struggling with these issues, and also in many districts in the East, where there is a great deal of public lands.

It is only fair that we pay a reasonable amount in lieu of taxes to cover this shortfall. The Payment in Lieu of Taxes program was created in 1976 to provide payments to counties to make up for property taxes they were prevented from collecting on Federal lands located within their boundaries.

This year, the administration's budget proposal proposed to cut PILT by $34 million, to a paltry 56 percent of the authorized level. The past few years have seen Congress achieve historic levels of PILT funding. We are grateful to Chairman DICKS and Ranking Member TIAHRT for their efforts to restore PILT to the fiscal year 2007 enacted level.

While the appropriation currently in the bill is significantly above the administration's recommendation, it is far from what it should be, and our counties are bearing the brunt of it. While the Department's administrative budget has nearly doubled since 2001, PILT funding levels have not kept pace, and this is not acceptable.

It is imperative that we raise funding so that our rural counties won't have to continue to foot the bill for lands owned by the Federal Government. I urge all my colleagues to support this bipartisan amendment to bring PILT funding levels to nearly 70 percent of the authorized amount and to support the counties that host public lands.

Although I will continue to fight for full funding for PILT, this amendment is a step in the right direction and adds a modest sum to the PILT program, a sum that is important to Americans who live in public lands communities, as well as to all the visitors who visit our public lands.

Mr. DICKS. Madam Chairman, if the gentleman will yield, I rise to say that we will be willing to accept this amendment.

I do want to point out to the gentleman, though, this bill already funds PILT $43 million above the level requested by the President. We have heard over and over again from various speakers on your side of the aisle that we have to get this bill down, not up.

But this is a very important program in the West, and therefore I am willing to accept it. But I want the gentleman to think about this in that context.

Mr. CANNON. Madam Chairman, reclaiming my time, I very much appreciate the gentleman's point. The fact is, this is much higher than the President's proposal. I appreciate that. Our job here is to balance how we fund these various programs. The inequity that has been perpetrated on Western counties, where you see these massive amounts, including in your State, of public lands that are not adequately supported by a tax base is very important.

I thank the gentleman very much for his support thus far.

Mr. TIAHRT. Madam Chairman, if the gentleman will yield, I want to thank the gentleman from Utah and also the gentleman from Washington, Mr. DICKS, the chairman of this subcommittee, for understanding the depth of this problem. We do need to put additional funds into PILT, because the Payment in Lieu of Taxes has created shortfalls for school systems, for local municipalities and for counties.

I want to commend the gentleman from Utah for his effort. We have no objections to his amendment.

Mr. CANNON. Madam Chairman, I thank the gentleman, and urge support of my amendment.

Mr. DICKS. Madam Chairman, I withdraw my reservation.

Mr. BISHOP of Utah. Madam Chairman, I move to strike the last word.

Madam Chairman, I appreciate the opportunity of just saying a word on this particular amendment. I am also very grateful to both the ranking member as well as the chairman of the subcommittee for understanding the significance of this important amendment.

Let me say that this is another map that is similar to the one that was already done, except this time I chose the blue color. Everything that is in blue is the amount of land owned and controlled by the Federal Government in each State. You will notice that there is a proclivity of this kind of blue color in the West.

Some of those that don't live in the West don't really understand what the significance or the problem is in dealing with the Federal Government on so much particular land.

I also want you to know that this was not necessarily the way it was supposed to be. When every one of these Western States entered the Union, their enabling act said the land would go to the Federal Government until such time as it shall be disposed and each State was supposed to get a cut of the amount of money gotten by the Federal Government. So this is not the way it was supposed to be.

But it was changed in the 1970s when the Federal Land Management Policy Act was produced. The trade-off in that was for Payment in Lieu of Taxes. So this land would be compensated, in exchange for the Federal Government keeping those lands, without having to go back through the States to deal with it.

Now, we would actually be more happy if we had all the lands. If indeed these Western States that have their lands controlled by the Federal Government could tax them at even the cheapest open value space, this is the amount of money that we would be able to accommodate for ourselves and solve our own problems.

This bill has $232 million for PILT, Payment in Lieu of Taxes right now. So you look at it. If Idaho was simply able to put a tax on the Federal land in their State, they would create more than that money by themselves. Utah could get $116 million every year by ourselves, Nevada $118 million every year by themselves; and that is only for public education. It would be even more for general taxes. So the States could actually handle it themselves.

What I am trying to say is I appreciate everyone finally realizing that PILT money is not free, it is not loans, it is simply not welfare for the West. It is money that was really owed to these particular States and that our goal should not be simply the $22 million more in this particular amendment, but to fully fund PILT, which should be $375 million in the first place, or allow the States to have the flexibility to actually go after the true value of these types of lands that happen to be there.

So I appreciate everyone recognizing the significance of this, and I appreciate everyone realizing that this is money that is owed to the States so they can control and they can actually pay for the services they have to provide, even though they don't have the land resources to deal with it.

Mr. HELLER of Nevada. Madam Chairman, I rise in support of this important bipartisan amendment.

The PILT program compensates counties for the loss of income resulting from Federal lands.

This is something my constituents know a lot about because nearly 85 percent of Nevada's land mass is owned by the Federal Government.

PILT funds are used for critical services on public lands counties such as search and rescue on public lands, infrastructure, education, and many other important functions.

For many years the PILT program has been woefully underfunded.

Again this year, the administration requested a paltry $198 million for this program, which is more than $150 million less than the authorized level.

While the $20 million we are seeking to raise PILT funding by will not entirely make up for the funding shortfall, every penny counts to the counties and families that live in public lands States.

I urge my colleagues to support this amendment, prioritize the PILT program, and take a step towards adequately compensating the communities that host public lands.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. CANNON).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $78,292,000, of which: (1) $69,816,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $8,476,000 shall be available until September 30, 2009 for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost

sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

Mr. BOREN. Madam Chairman, I move to strike the last words.

Madam Chairman, I would like to engage in a colloquy on the subject of community tribal schools.

In 1969, Congress declared that Indian education programs run by the Bureau of Indian Affairs were a national tragedy and a national challenge. No one could dispute the fact that decades of neglect had left both programs and facilities in shambles.

Starting with the Self-Determination Act of 1975 and tribal local control of programs, the extent of the problem became apparent. Congress, to its credit, stepped up with increased facilities programs for schools serving Indians.

To ensure objective distribution of scant resources and to better serve students, Congress directed BIA to create a priority-based ranking system. BIA did so, but only with a facilities program which assessed then-current programs and looked to the adequacy and safety of facilities. Failure in either area meant an unhoused student ranking and a priority ranking on the list.

After the Tribal Schools Grant Act in 1988, tribes began taking over BIA schools and reworking their programs. They expanded services and also added new attendance areas. These changes had an unanticipated effect. They impacted the BIA ranking system, as the formula did not properly account for new students, listing them as unhoused students and skewing the BIA ranking system.

□ 1330

In 1995, Congress instituted a temporary moratorium on new programs in order to freeze current rankings and to allow the BIA time to catch up to the increasing demand for repairs. The moratorium was to last just one Congress with the BIA making policy recommendations on how to address this growing problem.

The BIA, unfortunately, never made the recommendations and the moratorium preventing modified tribally run academic programs has continued for over a decade.

Madam Chairman, Indian country remains concerned that public school academic programs are not enough for many Native American children who so often have special needs due to family, social, academic, and other problems. There are numerous cases where a tribe is in better condition to operate a school, providing first-class education while also meeting the cultural sensitivity needs these students may have.

But even if the tribe is willing to fund all construction and maintenance costs for a first-class facility, the moratorium prohibits them from being able to operate as a Federal grant school. The BIA has also interpreted the moratorium language as prohibiting the reestablishment of a preexisting program.

Chairman DICKS, children are the future of any nation, including tribal nations, and community tribal schools are an important step for a tribe's successful future. I ask that you would work with me to address this problem and that Congress require BIA to adhere to the fiscal year 2006 Interior Appropriations bill directive to develop recommendations to adjust the ranking system to allow for new schools, new students, and expanded programs.

Mr. DICKS. Madam Chairman, will the gentleman yield?

Mr. BOREN. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate the gentleman's interest in improving Indian education. This is an issue that both Mr. TIAHRT and I have great interest in, and we have made a special effort to increase funding for education programs in this bill.

I would be happy to work with the gentleman on the issue that he has raised here today, and thank him for his dedication to Indian country and better education for young students.

Mr. BOREN. I thank the chairman.

Mr. MORAN of Virginia. Madam Chairman, I move to strike the last word.

Chairman DICKS, I am very appreciative of your willingness to address in the conference report for the fiscal year 2008 appropriations bill a concern that you share with me for the humane treatment and preventive management of wild horses and the condition of western range lands.

I yield to the gentleman from Washington.

Mr. DICKS. Yes, the gentleman is correct, I share his concern.

Mr. MORAN of Virginia. As you know, Mr. Chairman, there have been significant advancements in the development of technologies that allow safe and effective application of contraceptive medicines to wild horses to allow wild horse populations to be maintained at sustainable levels. I believe these medicines have been used in pilot programs running for years as a result of the partnering of private organizations like the Humane Society of the United States with the Bureau of Land Management.

Mr. DICKS. The gentleman is correct.

Mr. MORAN of Virginia. I believe that contraceptives could potentially be effective and also would be a more humane approach to managing wild horses than the current strategy that relies primarily on rounding up wild horses and placing them in pastures where they must be fed for years until they die of old age at a cost of over $20 million a year.

It is also my understanding that the BLM signed a memorandum of understanding in October of 2006 outlining a large scale pilot program that will expand the pilot wild horse management effort.

I would like to thank you for working with me to see that the Wild Horse and Burro Management Program does not get such a large budget cut as was proposed by the administration. It is my understanding that BLM will be able to move forward with that pilot program under this act; is that correct, Mr. Chairman?

Mr. DICKS. Yes, the gentleman is correct.

Mr. MORAN of Virginia. I wish to thank you again, Mr. Chairman, for your help in clarifying these points and for your willingness to address this in conference to ensure more humane and effective management of our treasured wild horse herds, while maintaining our public range lands in a sustainable manner which protects watersheds and native plants and wildlife.

Mr. DICKS. Again, I want to thank the gentleman from Virginia (Mr. MORAN) who is the vice chairman of our committee and very valued and esteemed member and someone whom I have enjoyed working with for many years, going back to our staff days in the other body.

Mr. MORAN of Virginia. The enjoyment is mutual, and I learned so much when you were chief of staff to the chair of the full committee of the Senate, and I could not be more pleased that you are chairing this bill.

Mr. TIAHRT. Madam Chairman, I move to strike the last word.

Madam Chairman, I understand the gentleman from Virginia's concern about Northern Virginia being overrun by horses, but there are those of us in Kansas who do enjoy seeing those flowing manes and hearing those pounding hooves across the plains. So in your attempt to move towards horse contraception, I hope you are not going to be horsing around too much with the population so that we can still have those beautiful animals running across the plains of Kansas.

Mr. MORAN of Virginia. Madam Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. The gentleman's wit is deeply appreciated by the Member from Virginia. I don't think we have a current problem with being overtaken by wild horses in Northern Virginia; but I appreciate your support as well for this humane approach in dealing with the wild horse and burro population.

Mr. TIAHRT. Madam Chairman, reclaiming my time, I am looking forward to working with the gentleman from Virginia in satisfying the needs of controlling our wild horse population.

Mr. SIMPSON. Madam Chairman, I move to strike the last word.

I wish to enter into a colloquy with the chairman of the Interior Appropriations Subcommittee.

Mr. Chairman, I am very pleased that this legislation increases the funding

for loan repayment for health professionals within the Indian Health Service. As a dentist, I am keenly aware that the IHS dental program has the highest vacancy rate at 34 percent. The loan repayment program has proven to be a successful recruiting and retention tool for dentists and others. However, there is a related issue that I would like to discuss.

Within the next few years, 65 percent of the IHS dental specialists, including pediatric dentists and oral surgeons, will be eligible for retirement. These dentists are in great demand because Indian people have some of the highest oral disease rates in the world. A 1999 IHS survey found that 79 percent of Indian children 2–4 years old had a history of dental decay; 68 percent of adults had untreated dental decay; and 61 percent of elders had periodontal disease.

The dental specialists are a vital component in the IHS dental program. In addition to treating patients, they also train the general dentists for treating complex cases that arise daily in IHS hospitals and clinics.

I hope it is possible to provide additional support for the dental residency program so they can fill these vacancies before reaching crisis proportions.

Mr. DICKS. Madam Chairman, will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Washington.

Mr. DICKS. I thank the gentleman for highlighting the issue and for his concern for improving Indian health care. We agree this is an important issue, and we will work with you to address it.

I might mention that one of the programs over the years that I have been a big supporter of is the National Health Service Corps, which allows people to be trained and work in rural areas. I think there is a multitude of ways to attack this problem, and I appreciate the gentleman's leadership on this issue and guarantee him that we will work hard to do as much as we can because we agree with you that the need for dental care is a very high priority in Indian country.

Mr. SIMPSON. I thank the chairman of the subcommittee.

Mr. TIAHRT. Madam Chairman, will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Kansas.

Mr. TIAHRT. I want to thank the gentleman from Idaho for hitting on a topic that was very important in our hearing process because we heard from not only dentists, but also the medical community that we have a shortage in many other parts of the medical industry including nurses, anesthesiologists, et cetera. But dentistry is one area where they had an acute shortage. And so your leadership is very important in this area. We want to work with you in support of these efforts to make sure that we have enough medical providers in Indian country.

Mr. SIMPSON. I thank the ranking member and the subcommittee.

Mr. DINGELL. Madam Chairman, I move to strike the last word.

Madam Chairman, I rise in strong support of the legislation. I want to commend and congratulate and thank my two good friends, Chairman DICKS and OBEY for their extraordinary leadership. They have produced the finest Interior Appropriations bill I have seen in years, and we owe our two colleagues a great debt of gratitude.

First of all, there is a large increase in the Fish and Wildlife Service to address problems like staffing of refuges of which 221 of the 547 have no staff whatsoever. It will provide $56 million which will give our refuges the staff necessary to keep this wonderful system the national treasure it is.

It is also a wonderful piece of legislation by giving $223 million more to the Park Service, a desperately needed situation. The Clean Water State Revolving Loan Fund is funded at $1.1 billion over the President's request, desperately needed in a time when our Nation is seeing our waters get dirtier and less safe and less enjoyable for our people.

The bill reverses years of budget neglect, and provides much-needed increases for public health programs administered by EPA. It increases funding for Superfund toxic waste cleanups, something which is a massive problem to our people, both in terms of safety and the environment. It brings forward brownfield revitalization efforts and addresses the problem of leaking underground storage tanks and will protect the health and environment of the American people.

I want to tell my good friend how grateful we are and thank him for what he has done. I would also like to express my support for EDDIE BERNICE JOHNSON's amendment to prevent EPA from finalizing a proposed change in existing rules limiting toxic air pollution.

This is a great bill and I salute the gentleman from Washington (Mr. DICKS) for his extraordinary ability, remarkable hard work, and great service.

Mr. DICKS. Madam Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Washington.

Mr. DICKS. I want to thank the gentleman for his extremely kind words. I just want to say to him that I have appreciated working with him over the years; and we in the Pacific northwest appreciate his great efforts on behalf of the salmon recovery initiatives and our Northwest Power Act and all of the other major environmental legislation that the gentleman from Michigan, the dean of the House, has enacted during his long and illustrious career. I am proud to work with him and with anyone else who wants to make the environment of the United States better for all of our citizens. I thank him for his great leadership.

Mr. DINGELL. I thank the gentleman for his kind words.

Mr. TIAHRT. Madam Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Kansas.

Mr. TIAHRT. I would like to thank the grand gentleman from Michigan for coming down here and talking about the importance of this bill; and also acknowledge what a leader you have been on environmental issues over the years and we appreciate your service to the country and your leadership here on the floor.

Mr. DINGELL. I thank the gentleman for those kinds words, and I want to utter in return the great respect and affection I have for the distinguished gentleman and for the outstanding work he does here. I am proud he is my friend.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Ms. CASTOR) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6. An act to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $5,362,000 to remain available until expended, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $59,250,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $43,822,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For the operation of trust programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, $182,542,000, to remain available until expended, of which not to exceed $56,384,000 from this or any other Act, shall be available for historical accounting: *Provided*, That

funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Salaries and Expenses'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2008, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $10,000,000, to remain available until expended, and which may be transferred to the Bureau of Indian Affairs and Office of the Secretary accounts.

DEPARTMENT-WIDE PROGRAMS

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $232,528,000, of which not to exceed $400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

□ 1345

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Madam Chair, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAMBORN:

On page 44, line 23, after the dollar amount, insert ''(increased by $160,000,000)''.

On page 96, line 14, after the dollar amount, insert ''(reduced by $60,000,000)''.

Mr. DICKS. I reserve a point of order against the amendment.

The CHAIRMAN. The point of order is reserved.

Mr. LAMBORN. Madam Chairwoman, this amendment would eliminate funding for the National Endowment for the Arts and increase the funding for the Payment in Lieu of Taxes, or PILT program. This amendment recognizes the difficult fiscal situation that our government is facing. Many of my colleagues and I are finding opportunities to reduce funding in areas to offset increases in others, and we are working to trim Federal spending wherever possible. The Interior appropriations bill has the largest increase over the President's request of any of these appropriations bills, and I will support efforts to bring the cost down as they arise.

Now, the opposition to the NEA should not be perceived as opposition to the arts. True art can survive in the private sector without Federal handouts. The NEA did not even exist before 1965, and look at all the wonderful artists in American history who survived and thrived before that time. Artists have a constitutional right to be creative, but free speech does not mean that the taxpayer has to fund it. Even if I did support the NEA agenda, at a time when fiscal restraint is crucial, we must closely examine how and where we are spending taxpayer money. As such, I feel it is not only appropriate but necessary to question some of the funding in this bill and see if it can be either reduced or redirected to more worthwhile programs.

Much of the land contained in the rural counties in Colorado and out west, including much of my congressional district in Colorado, is largely owned by the Federal Government. In fact, more than one-third of Colorado, 24 million acres, is owned by the Federal Government. This removes much of the land in these counties from any ability to generate revenue to pay for basic government services like law enforcement or fighting fires. At a time when we are facing record spending, this commonsense amendment simply lets Americans know that we are willing to make tough choices.

My amendment would reduce all of the $160 million in funding for the NEA while offering a modest $52 million increase to this much-needed PILT program. This still reduces the overall cost of this spending bill by over $100 million and sends a message that in this budget environment we are willing to tighten our belts as any American family or business would.

I know many of my colleagues support the NEA. I simply believe the government has no business funding art with taxpayer dollars, especially in light of our difficult budget circumstances. My colleagues that support the NEA should put their money where their mouth is by making private donations instead of doing so with the hard-earned tax dollars of working men and women.

With that, Madam Chairman, I offer this amendment and I ask for support on it.

POINT OF ORDER

Mr. DICKS. Madam Chair, I insist on my point of order.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays by $140 million in the bill.

The CHAIRMAN. Does the gentleman wish to withdraw his amendment?

Mr. LAMBORN. Madam Chair, I would ask unanimous consent to withdraw this amendment and offer another one in lieu which I hope would satisfy that point of order.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAMBORN:

On page 44, line 23, after the dollar amount, insert ''(increased by $52,000,000)''.

On page 96, line 14, after the dollar amount, insert ''(reduced by $160,000,000)''.

Mr. DICKS. Madam Chair, I reserve a point of order on this amendment.

The CHAIRMAN. The point of order is reserved.

Mr. LAMBORN. Madam Chairwoman, I won't repeat the points that I just made a moment ago, other than to say that the dollar amounts have been changed in this subsequent amendment and I believe they answer the gentleman's point of order. It is offered for the same reason. Let's take NEA money that can be privately funded through the private sector and put it into the counties that are sometimes losing dollars when so much land is federally owned and let's improve the PILT program by $52 million.

Mr. DICKS. Madam Chairman, I rise in very strong opposition to this amendment. The principal purpose of this amendment is to block the long overdue increase in funding for the National Endowment for the Arts provided in the bill. The gentleman is correct that the bill reported by the committee provides $160 million for the NEA, an increase of $35 million over the 2007 enacted level. I am very proud of that increase which I think is fully justified and broadly supported by the Members of this body.

It is important for Members to realize as they consider the committee's action that the $160 million recommended only partially restores cuts made to this agency a decade ago. In fact, the amount in this bill is still $16 million below the level provided in 1993. After adjusting for inflation, the amount recommended is $100 million below the level in 1993, as displayed on the chart in front of the Members.

As we debate the amendment, Members should also note that the National Endowment for the Arts has been transformed since the arts funding debate of the 1990s. Two gifted chairmen have reinvigorated the NEA into an agency with broad support. Chairman Bill Ivey, appointed by President Clinton, negotiated and then implemented bipartisan reforms in NEA's grant structure to ensure that funds go to activities for which public funding is appropriate. Dana Gioia, the current

chairman, then energized the agency with many new programs and a commitment to reach beyond the cultural centers of our major cities. Last year every single congressional district received NEA support through innovative programs such as American Masterpieces, Operation Homecoming and the Big Read. Today, NEA is truly a national program with outreach efforts to every corner of America and every segment of our society.

Each of us has different reasons to support the arts. Some will describe their support in terms of the inherent joy of the arts as a personally enriching experience. Others support the arts as engines of job development and economic growth. It is equally important to emphasize that except for a few members of the Flat Earth Society, there is little opposition to Federal funding for the arts and for the humanities. The culture wars are over. For each of the last 7 years, with the help of many Members in this Chamber, a bipartisan majority of the House has voted to increase funding for the NEA. During the last 2 years, Ms. SLAUGHTER's and my amendments to add funds were adopted by voice vote without opposition.

Mr. Chairman, I do not normally include quotes in my floor remarks, but I was struck in preparing for this year's arts debate by a quote attributed to actor Richard Dreyfus at the Grammy awards ceremony:

''Perhaps we've all misunderstood the reason we learn music and all the arts in the first place. It is that for hundreds of years, it has been known that teaching the arts helps to create the well-rounded mind that Western civilization, and America, have been grounded on. America's greatest achievements in science, in business, in popular culture, would simply not be obtainable without an education that encourages achievement in all fields. It is from that creativity and imagination that the solutions to our political and social problems will come. We need that well-rounded mind now. Without it, we simply make more difficult the problems we face.''

I believe Mr. Dreyfus is right, and the committee has acted to provide the funding so arts can reach even more broadly into American communities with a richer variety of programs.

I urge defeat of the gentleman's amendment.

POINT OF ORDER

Mr. DICKS. I want to insist on my point of order.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? Or the amendment?

Mr. LAMBORN. Madam Chairwoman, I would ask for a ruling from the Chair because I believe that it is in order.

The CHAIRMAN. The Chair will rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from Colorado proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,954,000, to remain available until expended: *Provided,* That hereafter, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account, to be available until expended without further appropriation: *Provided further,* That hereafter such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $6,224,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided,* That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further,* That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided,* That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' shall be exhausted within 30 days: *Provided further,* That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further,* That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 104. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 105. No funds provided in this title may be expended by the Department of the

Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 106. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities, except that total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 107. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No federally-recognized tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2008. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 108. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by 16 U.S.C. 460zz.

SEC. 109. The Secretary of the Interior may hereafter use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 110. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Kempthorne litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 111. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Kempthorne to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Kempthorne.

SEC. 112. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally-operated or federally-financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 113. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or the implementation of the ''To Be'' Model, funds appropriated for fiscal year 2008 shall be available to the tribes within the California Tribal Trust Reform Consortium and to the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in fiscal year 2003. This Demonstration Project shall continue to operate separate and apart from the Department of the Interior's trust reform and reorganization and the Department shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in 25 U.S.C. 458aa–458hh: *Provided*, That the California Trust Reform Consortium and any other participating tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior: *Provided further*, That they demonstrate to the satisfaction of the Secretary that they have the capability to do so: *Provided further*, That the Department shall provide funds to the federally-recognized tribes in an amount equal to that required by 25 U.S.C. 458cc(g)(3), including funds specifically or functionally related to the provision of trust services to the federally-recognized tribes or their members.

SEC. 114. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

SEC. 115. None of the funds made available in this Act may be used to issue any new lease that authorizes production of oil or natural gas under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) to any lessee under an existing lease issued by the Department of the Interior pursuant to the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note), where such existing lease is not subject to limitations on royalty relief based on market price.

Mr. DICKS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD and open to amendment at any point.

The Acting CHAIRMAN (Mr. DAVIS of Alabama). Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDMENT OFFERED BY MR. PETERSON OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Pennsylvania:

Page 50, line 3, after the period, insert ''The preceding sentence shall not apply with respect to natural gas offshore preleasing, leasing, and related activities beyond 25 miles from the coastline'':

Page 50, line 7, after the period, insert ''The preceding sentence shall not apply with respect to natural gas offshore preleasing, leasing, and related activities beyond 25 miles from the coastline''

Mr. PETERSON of Pennsylvania (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PETERSON of Pennsylvania. This amendment, I believe, is one of the most important issues that we will deal with in this Congress. It's about having affordable, available, clean, green natural gas, the fuel that we take for granted. It's the fuel that heats about 60 percent of our homes, 70 percent of our businesses, and is the major building block to all the industries that are left in this country.

The petrochemical industry, 55 percent of their operating cost is natural gas. The polymers and plastic industry, 45 percent of their operational cost is natural gas. And fertilizer can be as high as 70 percent of their cost is natural gas because they use it as a fuel and they use it as an ingredient to make their product. It's an ingredient in all those products.

Clean, green natural gas now generates about 20 percent of our electricity. That didn't used to be. Biodiesel consumes huge amounts of natural gas in the production cost. Ethanol, 96 percent of the plants that make ethanol use huge amounts of natural gas. We are consuming more natural gas in this country than we're able to produce.

The chart on the left with the red, that's the gap that's growing, because we as a country, 26 years ago, Congress decided that we shouldn't produce energy offshore. Every country in the world produces both oil and gas offshore. Now, they have setbacks. But they all use offshore production because it's the cleanest, best, safest way to produce energy, and there's huge amounts out there.

Now, for this country to have the highest natural gas prices in the world almost is insanity, because we have lots of it, but we have chosen to lock it up and not produce it. This is the clean, green fuel. It's greener than biofuels. It's what we use to generate electricity when the wind doesn't blow. It's what we use to generate electricity when the sun doesn't shine for solar. It's what we use to make hydrogen for the hydrogen vehicles that are oncoming. It's the bridge to our future because it's clean, it's green. No NO_X, SO_X and a third of the CO_2 that all other energies project. For this country not to open up its Outer Continental Shelf to natural gas, my amendment opens it up from 25 miles on out.

That doesn't mean it's going to be drilled. It would still have to be in the 5-year plan, but it would open it up.

Let me tell you, folks, we're going to do this sometime. It depends on whether we do it in time to save the millions of jobs that are leaving. Dow Chemical's energy bill went from $8 billion in '02, natural gas bill, to $22 billion in '06. They came to our committee the last 2 years and begged for release. Produce natural gas. We didn't. They just invested $30 billion that they wanted to invest in America for working men in America and working women in America to have a good job. They're putting it in Saudi Arabia, Qatar and Libya, because natural gas is a fraction there of what it is here. It is absolute insanity for America to starve itself of the clean, green fuel that has never foiled a beach.

California, New Jersey and Florida will protest the most. It will never foil a beach. A gas well has never foiled a beach. It has never washed up on a shore. It's a gas. And they are the three States that are the largest consumers and who have switched their electric generation to gas and helped cause the problem that have protested the production of clean, green natural gas.

My amendment is the amendment that can keep America competitive. It can keep us strong as a nation. It can keep American working people working in their jobs, in their factories. But if we don't pass my amendment, we will lose millions of jobs in this country; in fact, all of the manufacturing jobs. I lost a plant this year that made clay tile. Natural gas prices. I got a letter the other day from a guy who reformed steel, and he said if it continues to go up, it has went up three times in the last 2 years, 300 percent.

□ 1400

He said, if it goes up any further, I am out of business. I can't make sign posts. I can't make bed rail anymore out of recycled steel rail.

Folks, clean, green natural gas is more America's fuel that can keep this country strong and growing and environmentally green.

Mrs. CAPPS. Mr. Chairman, I rise in opposition to this amendment.

I rise in very strong opposition to both amendments by my colleague from Pennsylvania (Mr. PETERSON) which eliminate current protections for sensitive, coastal marine areas for new offshore drill for oil and gas.

Under these amendments, we could literally see the push for new drilling off our coast begin almost immediately. Though oil and gas companies awash in profits from our open constituents profits would have us believe that all the offshore resources are off limits today, that we are only talking about drilling for natural gas and not oil, and also that today's high gas prices demand this new drilling, these arguments don't hold up under scrutiny.

First, the industry already has access to the vast majority of natural gas in the Outer Continental Shelf, already has access to it. Indeed, according to the Bush administration, about 80 percent of the known reserves are located in areas where this drilling is already allowed. Furthermore, the oil and gas industry already owns the drilling rights to more than 4,000 untapped leases in the Gulf of Mexico alone.

Second, there is no such thing as natural gas-only drilling. Drilling for gas, natural gas, means drilling for oil.

Even the Bush administration and the energy industry have dismissed so-called gas-only drilling as unworkable. This is what the American Association of Petroleum Geologists has to say about gas only drilling. This is a quote, ''There are a lot of times when you drill for oil, and find gas instead—and the other way around. You never know for sure what you're going to find until you're in there.''

Here is another quote from the former head of Minerals Management Service. ''While gas-only leasing sounds appealing, as a practical matter, it may remain difficult to implement in a manner that reflects sound public policy.''

Now, finally, new drilling off our coast is not going to lower gas prices today or any time in the near future. It would take an estimated 7 years for natural gas from new leases to come online, 7 years. Serious energy efficiency measures, and more use of renewables, this would reduce demand and bring down prices much faster.

Mr. Chairman, President Bush has promised to end our oil addiction. Yet, energy prices and industry profits are at record highs. The predictable result of a strategy of focusing on supply and ignoring demand. The Peterson amendment to drill within miles off Florida, California and other coastal States is just more of the same. With 3 percent of the world's resources, 25 percent of the world's demand, it should be obvious there is no way we are going to drill our way out of this problem.

We need to use energy in smarter ways to improve fuel efficiency of our cars and trucks, invest more of the development of new, cleaner technology. In doing so, we would be generating way more jobs, the kinds of jobs and growth that will ensure our continued preeminence in among the world's economies. Let us not sacrifice our most important treasures, our coastal economies, in a hopeless way to drill our way to energy security. It doesn't work.

I urge all my colleagues to protect our coasts by defeating both Peterson amendments.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, America needs to secure its own sources of energy, be it from oil, natural gas, coal, nuclear renewable or other sources. A strong, vibrant economy with well-paying jobs goes along with it. It's inextricably linked with reliable and preferably inexpensive energy sources.

Sadly, as Mr. PETERSON points out, we pay more now for natural gas than we ever have before in the history of this Nation. If we want to help workers and businesses that employ workers, we must continue to build and strengthen our economy and provide them with reliable energy resources.

If we want to have high-quality, high-paying jobs in America, and I think we all do, then we are going to need additional energy, and we are going to need additional natural gas. Do we have the resources? Yes, we have the resources. Can we produce it safely? Yes, we can produce it safely.

We have been producing gas, natural gas, in Kansas for over 100 years. Natural gas is very versatile. You can make so much from it. You can make fertilizer, you can make make-up, clothing, plastics, ethanol. But we mostly use it to produce energy or electricity, energy in the form of electricity.

I think when we look at this issue, we have to figure out, are we going to make energy available inexpensively, and, if we are, we are going to have to go to where the reserves are. This amendment opens up an area for us to produce natural gas, or it can be produced safely, and it's going to be essential if we are going to continue to grow our economy.

So I urge the adoption of Mr. PETERSON's amendment, because I think we know that we have proven reserves that can produce safely, natural gas. This is the time for us to send this message to America, that we are going to continue to build a strong economy, and we are going to give our economy the tools necessary to produce the jobs we need to continue to provide the hope and a source for continuing to complete dreams here at home.

I urge strong support of this amendment.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I move to strike the last word in opposition to the amendment.

Mr. Chairman, I have heard many times from the gentleman from Pennsylvania the suggestion that drilling for natural gas is low impact compared to oil drilling. In fact, he even called it clean on the floor today. Unfortunately, this opinion runs contrary to scientific findings on the matter. There are drastic and devastating environmental and economic repercussions that come with drilling into the ocean floor, drilling into the ocean floor.

Mr. PETERSON refers to the use of natural gas as a clean fuel, and that may well be true. But what we are talking about here is drilling into the ocean floor so close to our beaches, that is a problem for both my home State of Florida, as well as the rest of the Nation.

According to the Minerals Management Service, once exploratory drilling begins, the toxic impacts are similar for either oil or gas exploration or development. Drilling operations produce hundreds of thousands of gallons of

drilling muds that routinely discharge toxic metals such as lead, mercury and cadmium. None of those seem clean to me.

Water discharged from drilling and exploratory operations often contain dangerous levels of carcinogens and radioactive materials such as benzene, toluene and arsenic. None of those seem clean to me either. The impact is not just limited to the off-shore platform. Natural gas drilling requires onshore storage and processing facilities, including miles of pipelines, roads, ports, helipads and dorms.

The gentleman from Pennsylvania seeks to minimize the perception of the impact of drilling for natural gas, when the reality is that it would generate toxic poisons seeping into our oceans, have a significant impact environmentally on our coastline, and be a significant danger to opening the door, not just to gas drilling, but oil drilling as well.

I urge my colleagues to protect the oceans and breaches of the United States and oppose the Peterson amendment, both this one and the next one that is offered.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Members are reminded that when multiple Members rise for recognition, priority is given, by custom, to Members who serve on the committee.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the passion of the introducer of this amendment. I understand his arguments. I should. We have talked about them at least twice a week for the last 3 or 4 years.

I agree with a lot of his argument, but the problem is that this amendment wouldn't solve most of those problems. It really isn't directed at those problems.

In the outer continental shelf, there are vast areas of the outer continental shelf that are available for drilling for oil and for gas.

But in the Gulf of Mexico, for example, there are some very environmentally sensitive areas that have been protected by this Congress since 1983. This amendment would undo those protections. In recent years, something very important has come about, and this is the military mission line. The Defense Department, the Air Force and the military who exercise and train in areas of the Gulf of Mexico tell us that east of the military mission line it would be disastrous for their training if we allowed drilling for oil or for gas.

Congress spent a lot of time this last year on this very subject, and Mr. PETERSON was part of the effort to come to a compromise. We came to a compromise finally. It wasn't easy.

Mr. PETERSON didn't really like the compromise, and I give him credit for standing up for that, but he agreed to it.

Now, this amendment would undo the compromise that Congress worked so hard on last year. This amendment is not going to solve the problems that the introducer of this amendment suggests exists today, problems that we are all pretty much aware of.

But this amendment could be a disaster for environmentally sensitive areas of the Gulf of Mexico and certainly would cause the degradation of necessary military training east of the military mission line in the Gulf of Mexico.

So I think that while Mr. PETERSON is very passionate, and he certainly understands the issue of natural gas, and the benefits of natural gas, I don't think that he really understands the need to protect certain areas from drilling for oil and for natural gas.

So I would hope that the Congress would once again step up to the plate on this issue, defeat this amendment, and let's get on with this good bill.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this amendment. I have no doubt that the gentleman who has offered it is well intentioned, and he is clearly becoming a leader on moving our country to greater energy independence. But we will not get there by lifting the moratorium on drilling off the Atlantic and Pacific coasts. We will, however, invite great harm to established fishing and tourism industries, as well as the environment.

Off the coast of Virginia, we will interfere with the U.S. Navy's Virginia Cape Operations area in a way that the Department of Defense has warned us in unequivocal terms would be totally unacceptable and utterly incompatible with the operations that they are currently conducting. They could not conduct very sensitive essential operations off the coast of Virginia that are ongoing if we were to pass this amendment.

While it's technically feasible to drill for natural gas, there are also some fundamental, legal and economic questions about whether any drilling offshore could be limited to just natural gas.

But I want to focus particularly on the fact that this amendment can't possibly solve our energy problem.

The natural gas and oil estimated to be recoverable from the outer continental shelf will not result in lower natural gas prices. It simply takes too long to develop a natural gas field to affect prices in the short term. We are talking 1 to 3 years at least to develop a field. Natural gas from areas currently off limits to drilling won't reduce prices in the long term either, since there is not enough gas there compared to either annual U.S. production or consumption.

A Department of Energy study compared the price of natural gas with the OCS moratorium areas that are kept out of production, versus the price of natural gas, if all of the moratorium areas were opened for drilling in the 2007–2012 5-year plan.

□ 1415

With all of its supply and demand information, the Department of Energy's model modeling system predicted that the price of natural gas would be $3.26 per thousand cubic feet in the year 2020, without the gas under moratoria, and $3.22 per thousand if we eliminate the moratorium. In other words, we could only save 4 cents if this amendment were implemented.

Moreover, the vast majority, over 80 percent of the Nation's undiscovered but technically recoverable Outer Continental Shelf gas is already located in areas that are open to drilling. And that's according to the Interior Department's 2006 report to Congress.

According to the same report, there is an estimated 86 trillion cubic feet of undiscovered, technically recoverable resources in all the Outer Continental Shelf areas that have been withdrawn from leasing, compared to 479 trillion cubic feet of reserve appreciation undiscovered technically recoverable resources within the total Outer Continental Shelf belonging the United States.

These are technical words and statistics. What it says is that, at best, you can open up 20 percent, and the fact is, it wouldn't make but a pittance of difference in the cost of natural gas. Eighty percent of the Nation's undiscovered natural gas is already open to drilling.

The other thing that we're very much concerned about is what the drilling operations do to our environment. They discharge hundreds of thousands of gallons of what's called ''produced water'' that contain a variety of toxic pollutants, including benzene, arsenic, lead, naphthalene, zinc and toluene, and can contain varying amounts of radioactive material. And tons of air pollutants are emitted. It will also trigger the uncontrolled release of methane hydrates, a greenhouse gas that's 20 times more potent than carbon dioxide.

And then if you look at what drilling has done to the Gulf Coast, you will recognize that it's destroyed hundreds of miles of wetlands and sensitive coastal habitats. When they bring the channel transporting the oil or gas into the shore, it brings the saltwater into the fresh water and destroys the plant life which reduces erosion. Thus we lose several football fields of shoreline every day along the Gulf Coast.

Mr. Chairman, there are a host of reasons this amendment is a bad amendment. It should be defeated. We should follow the lead of the chairman of the subcommittee.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I greatly appreciate and respect, frankly, the passion and the consistent passion of the sponsor of this amendment. He's been very consistent and passionate to try to make sure that the United States is as independent from foreign sources of energy as possible.

However, I think we can do that without this amendment because there are many areas that are available for oil and gas exploration without this amendment. And this amendment overturns a longstanding bipartisan moratorium on new natural gas drilling in areas, in certain areas that are too close to sensitive coastlines.

Congress addressed this issue, as the gentleman from Florida had said a little while ago, Mr. YOUNG, year after year, and last year we had a huge battle and, I think, a compromise, which none of us thought was great, but it was a compromise, which I think kind of hopefully settled this issue at least for a while in that compromise.

This amendment would, unfortunately, allow for natural gas drilling way too close to our precious coastlines. It can potentially damage sensitive habitats. Just the byproducts of drilling itself can be potentially damaging, and it can be very damaging to the ecosystem and particularly, for example, to the economy of the State of Florida.

Mr. Chairman, tourism alone accounts for $57 billion to the economy of the State of Florida. Imagine what an impact if we were to do something that jeopardizes that vital industry for Florida, but also for the national economy.

And, again, there are many other areas that are available for oil and gas drilling without this amendment. So I would respectfully, and understanding the passion and where it comes, and obviously I understand that he's trying to do what he believes is right for the country, but I think we can do it in a way that also balances the coastlines' sensitivity to the environment that this will be close to.

I think the bipartisan arrangement compromise that we did last year does that and therefore, very respectfully I would ask for a ''no'' vote on this amendment.

Mr. GENE GREEN of Texas. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, before I get into my remarks, let me talk about some of the remarks and the comments that have been made. I know we've heard a study quoted about $3.50 natural gas. Right now if you can find $3.50 natural gas anywhere, we ought to buy it because now it's $6 to $7 per million cubic feet for natural gas right now. And so whatever studies talk about $3, $3.30, whatever, is really not relevant.

I represent a district that we actually have zero emitting natural gas wells in the Gulf of Mexico. Zero emitting for air pollution, zero emitting for water pollution. And I've offered many times to take colleagues who've never been to a natural gas offshore well to just come to the Gulf of Mexico, either off of Texas or Louisiana or maybe Mississippi or Alabama where folks also drill off the coast.

Natural gas is one of the cleanest producing fuels we can use. I'm a strong supporter of this Peterson amendment to allow the Department of the Interior to issue new leases for offshore natural gas in areas 25 miles off the coast. We're not talking about 3 miles off the coast. We're not talking about 10 miles. We're talking about 25 miles.

This amendment has less to do with fossil fuels and everything to do with helping Congress address our climate change and transition America to a clean energy future. If you are for renewables, if you're for cleaner power, if you're for low-emitting vehicles, if you're for reducing greenhouse gas emissions, then you should be increasing the access to the domestic natural gas supplies.

Demand for natural gas is already building across our economy, and proposals pushing cleaner energy will only accelerate the demand. That's because it takes a lot of natural gas to make the materials for our economy that make it more energy efficient. Insulation, weatherization materials, thermal windows, appliances, lightweight vehicle parts, low-resistance tires, compact fluorescent light bulbs, heat reflecting coatings, house wrap, the list goes on and on. All are made from materials that are directly made from natural gas.

It also takes natural gas to make materials that make wind turbine blades and solar panels to run biomass facilities and to run cleaner burn power plants.

One example is right here in the Capitol where our Speaker and majority leader directed the Chief Administrative Officer, our CAO of the House, to develop a green Capitol initiative. The CAO officer announced last week that his strategy to reduce CO_2 emissions from the Capitol power plant was to use natural gas instead of coal, which will lower CO_2 emissions by 30 percent from 2006 level. This is equivalent to taking 1,900 cars off the road each year.

Mr. Chairman, I urge my colleagues to back up their support for addressing both climate change and by supporting domestically produced natural gas in the environmentally responsible Peterson amendment.

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, and my colleagues, this debate is a perfect example of why we have an energy crisis in the United States, a lot of people talking about energy and not using many facts.

I rise in strong support of the gentleman from Pennsylvania's amendment here to open up gas exploration and extraction of natural gas wells up to 25 miles, I guess would be the limit he proposes.

Let's just go back in history. I was in the Florida legislature on the Select Energy Committee in the State House when we had gasoline shortages and cars lined up. I voted to drill in the Everglades. My opponents remind me about that all the time.

Did you know we still drill in the Everglades? We do it safely, and we're taking oil out of the Everglades without any harmful effects on the Everglades or the environment.

You hear fear, not facts, being proposed here. Damage to the economy. Well, back in the 1990s I participated in a 100-mile set off, and we set that as the policy. That's back in the 1990s.

The technology we have today in extracting natural gas and oil, and this is about natural gas. It's not about oil, but the same holds true. We won't even go into the oil extraction.

But we have technology today they didn't even dream about a decade ago. Off the coast of Scandinavia, they're taking out oil and natural gas. They're using technology. There's nothing above the surface of the water. Twenty-five miles, you won't see that.

Some of the proposals for wind, I challenge you to go to Scandinavia, to some of the other places where they have these huge windmills and see the visual pollution that is created. So it can be done. We have the technology to extract it.

Let me give you the irony of Florida and the history again. So we came back here, and this isn't just a Republican, Democrat issue, people talking about something they know nothing about. We had a Governor Bush, we had a President Bush, and they argued over it and we changed the areas that were eligible for extraction. When you drill for oil, or in this case, gas, it costs you hundreds of millions or billions of dollars to drill.

Are you going to drill when you're playing this hokey-pokey, first we put our right foot out then we put our left foot out. It's going to be 100, it's going to be a 120, it's going to be 150 or you can't do it.

No. It's absolutely incredible that we have a vast supply of natural gas right off of Florida. We can do it; we have the technology to extract it. We built a billion-dollar pipeline, a billion-dollar pipeline. We can't hook up to it. We have the supply.

The trade deficit, nobody's even talked about the trade deficit. Most of the trade deficit is importing oil. Look at the huge part of it. So we're bankrupting the United States, sending our resources overseas.

We've got this in our back yard. It's clean. In Florida, during the 1990s, the Clinton policy for the country was to go to natural gas for energy production for our power plants. Twenty-eight of 34 electrical power plants planned from Florida are designed for natural gas. Now we're switching back to coal and oil. What a crazy, mixed-up policy.

And here the gentleman from Pennsylvania offers us an opportunity to tap into a clean resource that doesn't emit these gas emissions that are detrimental to the environment and, again, this nonsensical debate that takes place.

Stop the politics. We had the gentleman from Florida a few minutes ago. Cuba, 90 miles. Within 45 miles the Chinese will soon be drilling for energy

resources. What a goofed-up debate and policy.

Shame on us. And the American people are paying. Wait till they get their bills. It's not going to get better, folks.

They said, well, we'll just wait for some other technology. We have this here. Solar and wind and all these other things are necessary, and we should use them. I'm a big fan of nuclear, but we have a proposal before us that makes sense. Let's adopt it.

Ms. CASTOR. Mr. Chairman, I move to strike the last word in opposition to the amendment.

Mr. Chairman, I rise in strong opposition to the Peterson amendment and in defense of Florida's economy and natural environment. New, off-shore oil and gas drilling so close to the beautiful Florida coastline and all of our Nation's waters must be voted down today, as it threatens our economy, our natural environment, and our strategy for a new energy policy.

Our economy, in Florida, and many of you know, Mr. Chairman, because so many take the time out of their vacation plans to come down to the State of Florida, enjoy their time away on our beautiful beaches. Our tourism economy in Florida is a multibillion dollar industry. It goes hand in hand with our multibillion dollar fishing industry. And it is absolutely worth protecting here today.

Our beaches, our coastal environment, our marine resources, in addition to our fragile ecosystems, all of this will be put at risk by these amendments here today if they are successful.

□ 1430

I am fortunate in my district to have a wonderful Department of Oceanography located at the University of South Florida. Here is what those researchers have warned:

It would only take 24 hours after a petroleum spill in the eastern Gulf of Mexico for oil to ''sully Florida's Panhandle beaches if the spill was swept up by the gulf's powerful Loop Current. This spill could travel around the Florida Keys and contaminate estuaries and beaches from the Everglades to Cape Canaveral.'' That is from the University of South Florida Department of Oceanography.

In addition to that, one only has to look back a couple of years to know that it is completely unwise to put these types of facilities in hurricane alley. The gulf coast and the east coast, these are the two most coveted offshore areas by the oil and gas industry. That is where the threat of hurricanes is the greatest. It could wreak havoc on what they're trying to do there.

In 2005, in that hurricane season, that was the first year in reported history that we had three category five storms: Katrina, Rita, and Wilma. In 2005 Hurricanes Rita and Katrina caused massive spills of oil and other pollutants that seriously affected production, refinery capacity, and the price of oil in the United States. The storms caused 124 oil spills into the waters of the Gulf of Mexico. During Hurricane Katrina alone, 233,000 gallons of oil were spilled. There were 508,000 gallons of oil spilled during Hurricane Rita. And the U.S. Minerals Management Service reports that Hurricanes Katrina and Rita destroyed 115 petroleum production platforms in the Gulf of Mexico. The storms also damaged 457 pipelines, connecting production facilities in the gulf, and bringing oil and natural gas to shore. A full year after Katrina, BP admitted that a damaged oil well valve in the Gulf of Mexico was still leaking oil. The knee-jerk reaction to throw up more rigs offshore, especially in hurricane-prone waters like Florida's gulf coast and the eastern seaboard is precarious at best and not smart energy policy.

As much as the oil and gas lobby would like us to believe that drilling near our beaches would be a panacea, the experts say that only a couple of weeks of oil and gas are available.

Mr. Chairman, we can be smarter. We can be more strategic. Where is the commitment to conservation in this country?

Just a minute ago, the Senate sent over its new energy bill. Well, it is time for this House to get to work on new alternative energies and not continue to fuel our addiction to oil and gas.

Let's oppose these amendments.

Mr. CONAWAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in favor of the amendment, and I am glad to speak on this.

I come from Odessa, Texas, an oil and gas province that produces an incredible amount of our country's natural gas and crude oil, and I make no apologies for that. My colleagues from Florida come from Florida and they defend their beaches, and they make no apologies for that, as they should not.

But let me talk about a couple of things I have heard on the floor this afternoon. One of them was the effect of time to market. In other words, if we drill today, it will take 6, 7, 8, 9 years in order to get that production to our gas pumps. The moratorium that we are talking about, Mr. Chairman, is dated 1998, 9 years ago. Had we been drilling since then, then that production would have, in fact, come to market and would be available to reduce our demand for that product.

We have also heard criticism on this floor this afternoon about oil company profits. They have been roundly criticized from both sides of the aisle in some instances, many times from the other side of the aisle. And the criticisms seem to be that those nasty, vicious, terrible oil companies are going to take those profits and drill, take those profits and try to produce additional crude oil and additional natural gas, as if somehow that is a negative in the way we do things.

That is kind of the free market process. If I make money doing something, then I should be taking those profits and putting them back into the ground to produce additional crude oil and natural gas.

We have also heard comments about the offshore facilities, the production facilities, drilling facilities, and what terrible things they are and the terrible things they do to the environment, on the shorelines and everything else. And that may or may not be true. But what I have not heard is the equal passion for the production facilities that take natural gas into those States. In other words, where is the passion against the gas pipelines, the roads, the infrastructure that takes that natural gas that is produced in Texas, produced in Louisiana, and puts it into your State? Where is that passion for all of that terrible infrastructure that benefits you?

We have also heard an appeal to conservation. Well, okay. If those States who do not want this drilling off their shores would begin to commit today to eliminate their use of natural gas, just simply say, okay, if we are not going to drill off our shores, then we are not going to use it either. Let's see the passion for your commitment to conservation.

We have also heard conversations about the importance of the tourism industry in Florida, and I don't doubt that. An incredible impact on that part of the world, a beneficial impact. How about those hotels that run their air conditioning programs off of natural gas? Where does that natural gas come from? Well, it comes from somewhere else. And what we are saying with the gentleman's amendment is that that vast bureaucracy that runs this process of leasing and coming to conclusions that it can be done safely would be unleashed.

Therefore, Mr. Chairman, I would urge adoption of my colleague's amendment.

Mr. KLEIN of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to Mr. PETERSON's amendment, which would end the longstanding moratorium of new drilling in the Outer Continental Shelf.

For the past 25 years, bipartisan legislation and executive memoranda have kept this area off limits, preserving one of the most sensitive ecological areas off limits to oil and natural gas drilling. The Peterson amendment would open new areas to natural gas drilling.

Although at first glance natural gas drilling may seem favorable to some, but I urge my colleagues not to be tempted by this fool's gold. There is no guarantee that natural gas drilling will only get natural gas. In fact, according to the American Association of Petroleum Geologists, when drilling for natural gas, ''There are a lot of times when you drill for oil and find gas instead, and the other way around. You

never for sure what you're going to find until you're in there.''

And certainly I think we all understand very clearly what would happen if oil was found instead of natural gas.

Mr. Chairman, as a representative with over 75 miles of coastline along South Florida's east coast, new drilling could be a death knell for our environment, for our economy, and our way of life.

During my time in the Florida legislature, I worked with colleagues from both sides of the aisle to keep the moratorium in place. I pledged zero tolerance then, and I still pledge that same zero tolerance against any attempts to open up drilling off Florida's coast. And, of course, it is not only Florida's coast we are talking about. I said I would not compromise and I would not capitulate; so I am here today with my Florida colleagues to oppose this amendment.

But, most importantly, now that I am here in Congress along with many others, this is a false choice. It is a false choice of saying either we have oil or gas to cool hotels or to provide energy or we do something different. I don't know about many of the other Members of this body, but I think there are a lot of people that have a lot of passion about this issue not only to stop drilling off the coasts but a passion to expand into alternative energy sources.

As a matter of fact, this Congress has already taken steps to say instead of huge billion dollar subsidies for oil companies, let's focus those resources on our scientists, our universities, our business entrepreneurs, whether it is wave power or ethanol, wind power, solar power, coal liquefaction, nuclear power. There are a whole lot of ideas. I don't know if any of them are good and any of them necessarily are not the right answer. But it could be any combination of sources of alternative energy that will get us through this.

So let's not put this as a question of it is either we drill off the coast or we don't have adequate energy for this country. We have the ingenuity. We have the innovation. We are very smart people. And there is nothing that Americans can't do if they put their nose to it.

So I would suggest today that this amendment is not a good amendment and, rather, we should focus our attention, our passion, our science, our energy, and our resources toward alternative energy sources to take this country into the next generation.

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to the amendment put forth about by my good friend from Pennsylvania (Mr. PETERSON), which would overturn a long-standing bipartisan moratorium on new gas drilling.

Under Mr. PETERSON's amendment, we could see drilling for natural gas as close as 25 miles from our precious coastlines. Despite claims by its supporters, the Peterson amendment is not a viable short-term nor long-term solution to our energy needs. Instead, this proposal could damage sensitive habitats and undermine the economic future of our coastal towns and cities.

In my own congressional district, I am privileged to represent such underwater treasures as the Florida Keys National Marine Sanctuary, the most extensive living coral reef system in the Continental United States.

In addition to its aesthetic value, this marine ecosystem also supports tourism and commercial fishing, the economic livelihood of the Florida Keys. Any offshore oil drilling near this area could place thousands of rare and vulnerable marine plant species in harm's way and could potentially cripple the local economy.

Furthermore, drilling structures along the gulf coast would be located in the middle of hurricane alley. Proponents of this amendment say that current production methods safeguard against any environmental damage resulting from a tropical storm or a hurricane. Mr. Chairman, as many of us know firsthand, sadly, there is no such thing as being hurricane proof. Given the scientific likelihood for stronger and more frequent storms in the gulf and along our Atlantic coast, offshore oil drilling presents a sizable risk of onshore damage and water pollution in the event of the next big one.

I encourage my colleagues' help in making sure that we can protect Florida's coastline as well as our Nation's ecosystem by voting ''no'' on the Peterson amendment.

My Florida colleague, my good friend (Mr. MICA), who, as he states, favors drilling even in the Everglades, says that it is fear versus facts. Well, Mr. Chairman, the fact is that the Florida Keys depends on the 4 million tourists who come to the area every year for its economic livelihood. The debate is not about fear. It is about economic reality. Our coastal towns and cities will be devastated financially with the adoption of the Peterson amendment.

I urge my colleagues to vote ''no'' on the Peterson amendment.

Mr. MELANCON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment.

I have heard a lot of facts from both sides for and against. And from a State that has been producing oil and gas off its coast in its coastal waters, on land, and every place else that is possible for well over 50 years, and I think Pennsylvania may have been the only State produced before Louisiana started, if you go back those 50 years, there is a lot that we could see environmentally that should have been done back there that would have protected America's wetlands, the estuaries and the marshes of South Louisiana.

That being said, now looking at today's technology, offshore drilling for oil or for gas is one of the cleanest that you will ever find. Yes, there are muds, there are liquids. But there are also liquids that are made from sugar. So my friends from Florida, we can keep that Florida industry healthy. It is biodegradable. It is something that can and is being used out there.

The thing that scares me the most, as we talk about energy independence, and the information that has been brought to the floor, is that we had, in an energy bill, a 125-mile barrier from Florida in the Gulf of Mexico, if I recall, in an energy bill this past year. While if you go 45 miles off of Key West, where those important fragile areas are down in that area, we have got China and Cuba in control of the oil and gas production. And that scares me even more so. And if you look in the latest weekly news, Russia is basically becoming dominant in the world for energy production, as are the countries in the Middle East.

□ 1445

If you look at their offshore drilling, I don't hear about all the oil spills. As a matter of fact, I went through Katrina, I went through Rita. And I heard the numbers, and I respect where the Member got the numbers because it was provided by somebody. But the only real oil spills I know of were in Chalmette, Louisiana, at the Murphy Oil Refinery and at the Phillips Petroleum Refinery, which are on land in Plaquemines and St. Bernard. Yes, there were some small oil leaks. There was probably more diesel fuel out of the tanks of some of those rigs that collapsed, but far less than what came out of the gas tanks in the ground in Chalmette, in St. Bernard, in Plaquemines, in Orleans Parishes and probably over on the gulf coast. Far more fuel leaked into the waters that flooded those cities.

As we move forward in this country and talk about energy independence, and when you pull up to that gas pump and you see that $3 figure up there, just remember those folks back home that are on fixed incomes, on Social Security, that are worried about how they pay the utility bill, much less how they fill their gas tank, whether they can buy the loaf of bread and milk or whether they need to have the gas in their car to get to the doctor.

We talk about tourism and fishing. The tourism in Louisiana has been better than it has ever been, particularly now that the industries have the technology. The fishing is phenomenal. Thirty percent of the seafood consumed in this country comes from the waters off Louisiana's coast, and we've been drilling for over 50 years. Deep water, shallow waters, coastal waters, inland waters, land-based, you name it. I implore everyone to think about this.

I respect tremendously my colleagues that have the fear of the environmental concerns. That is something that I share with you. But I've seen these oil companies. I've seen them in the past when they were awful; I've seen them today when they do an excellent job. The technology gets better

by the day. The last oil spills that were of any consequence were done by ships hauling oil in from the Middle East, Venezuela and other locations. It wasn't by oil rigs offshore.

We're talking about natural gas. You can perforate a drilling pipe at any point in time or elevation or depth that you want. You can drill through oil, you can drill through water, you can drill through rock, you can drill through whatever is below there and sample what's there before you open it up, and if it's not natural gas, then you keep drilling until you get to the sand that you're looking for, perforate, and, yes, bring only natural gas in.

Mr. Chairman, I thank you for the opportunity. I implore, if we're going to make this country energy independent, we have to find the means. And gas, this amendment, helps us.

Ms. GINNY BROWN-WAITE of Florida. I move to strike the last word.

I rise in opposition to Mr. PETERSON's amendment to allow exploration within 25 miles of the coast.

It was just around this time last year when the Florida delegation finally, most of us agreed to go along with the negotiation that had been hammered out which protected the gulf coast.

The gulf coast in the Tampa Bay area, which Mr. YOUNG and I both represent, was protected some 230-some miles where there would not be any exploration for gas or oil. Why? Because of several issues. Number one, military mission line, where regularly they are doing military exercises. Very, very important area to protect. Then eventually some of us who are very, very reluctant, but who realize that our friends on the other side of the aisle and even some people on this side would never go for anything in ANWR, so we can't stick our heads in the sand, so we agreed to 230 miles out.

But let me tell you that what we are asking for is a disaster here, a disaster in many ways. Will people ever believe us again? We said we came to an agreement that had protected the coast and given some protection to the east coast. Now we have an amendment here which shortens that area to 25 miles.

I represent eight counties; four of them are coastal counties along the gulf coast. Many of them have been hit by hurricanes. To have this kind of exploration this close to the shore, not only in Florida, but along the gulf coast, is asking for trouble. It's a bait-and-switch. It absolutely is a bait-and-switch. Those of us who agreed last year to have some exploration did not agree to the 25-mile amendment. And I guess if you can't get 25 miles, they will try for 100 miles. That's not what we agreed to do our share of exploration for domestic energy sources.

My colleague from south Florida was absolutely right about the tourism and fishing industry that would be affected, but also the very, very fragile habitat that exists, and one that we want to protect. Now, some would say Republicans aren't that concerned about the environment, but I, as somebody who received the Sierra Club award, I disagree. Republicans do care about the environment. That's one reason why we set up buffer zones that were certainly far greater than 25 miles.

And let me express a great fear: if we do this for gas, oil certainly will follow. And, you know, I just don't remember there being a lot of tourism in ANWR. But you're affecting States where there is a lot of tourism.

You know, the citizens' confidence in Congress is at an all-time low. If we do this bait-and-switch as suggested in Mr. PETERSON's amendment, it will be down to zero.

I urge my colleagues to vote against the Peterson amendment.

Mr. ABERCROMBIE. I move to strike the last word.

Mr. Chairman, I'm sure Mr. DICKS wishes by this time that this moratorium would disappear as an issue because it keeps coming up.

Mr. DICKS. Will the gentleman yield?

Mr. ABERCROMBIE. I will certainly yield.

Mr. DICKS. It was in 1984 when the gentleman created the moratorium off the coast of Washington and Oregon. I hope it never goes away.

Mr. ABERCROMBIE. That may be, and that makes my point. I certainly was not among the ones to create it; but I'll tell you, had I been here in 1984, I probably would have voted for it. I voted for these kinds of things before without thinking much about it because it was an easy vote, it was an easy vote as to come and say, well, environmental groups, they all know all about this, why get crossways with them when you have a good environmental record. I've gotten my awards, too, not because of my bright perception, but because I voted the right way without thinking much about it.

Why is this here in the Interior bill on appropriations? Why do we have members of the committee standing up ahead of time? I don't know that anybody on Appropriations knows more about it than the people on Resources or the Energy Committee. But why? Because we legislate on an appropriations bill, that's why.

And we didn't break any agreements down here. If the agreement was what was being broken, why is this moratorium again being put into the bill this year? If we had an agreement last year, you wouldn't need the moratorium.

Mr. DICKS. I have a parliamentary point. Limitations are appropriate on an appropriation bill. I just wanted to make sure the gentleman from Hawaii was reminded of that technical point.

Mr. ABERCROMBIE. And I quite agree on that technical point, that limitations are appropriate. We're trying to put some limitations on some of the fiction that's out here today. I can assure you of that.

I think I know something about tourism. I know that in order to have tourists, you have to have people with jobs that have sufficient discretionary income to be able to come and spend their money. But if we're destroying the industrial structure of this country, which is what we're about right now, there won't be anybody having the jobs to be able to come and spend the money on tourism or anything else.

And if you want them to arrive in automobiles, which we can't do yet because I haven't been able to get an earmark for that bridge from San Francisco to Hawaii, that's a bridge to somewhere, I can assure you, the question then would be, well, what are you going to be paying for your gasoline? You want to have a hybrid car, you're going to have natural gas. You have to have natural gas as the base. You want to have ethanol to be able to do it? You have to have natural gas for the fertilizer that's going to grow the feedstocks in order to create the ethanol.

Natural gas is the natural energy bridge to a natural energy future, to an alternative energy future. If we don't have natural gas, let me tell you what's going to happen. It's happening right now, and there has been references to it already. Europe and Russia are now making a deal to promote natural gas exploration and extrication from Russia to the European economy, to the European Union in the hundreds of billions of gallons in order to be able to compete with us. It's not just mythology that the Chinese, using inferior technology, will be some 45 miles off of Florida right now exploring natural gas, as the Canadians are already doing on the other side of the Great Lakes.

Every single industrial country in this world is producing natural gas right now except us. We are the ones that destroying ourselves, committing suicide on this. This is what is happening; the rest of the world is going to have an industrial base and an industrial complex that's able to compete, and we're destroying ourselves.

You're looking at a convert here. I went into the Resources Committee fully prepared to not only sustain the moratorium that's here, but to vote against Mr. PETERSON when he first brought up the idea of drilling for natural gas. But when I listened to him and I read all the facts involved, I decided that I had the wrong position. And what's required of us now is to become energy independent. We have to produce the energy in this country that is going to allow us to be independent, sufficient to be able to back up that Defense Department that we're talking about. The Air Force right now is spending an enormous amount of money on fuel that we have to import. If we can take the natural gas base for the Air Force right now, we stand a chance of producing fuel that can sustain ourselves.

We have to be energy independent in this country. And that means those of who us who have blindly supported, what were supposedly the right environmental proposals in the past have

to take an honest look at where we are today and what we can do to produce clean energy.

Mr. Chairman, I thank you for the time. I hope that when we get past this today, that we will deal with the bill that Mr. PETERSON and I will be bringing forward to produce natural gas in this country to produce a free and independent America.

Mr. THOMPSON of California. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to this and any amendment that proposes to lift the moratorium on oil and gas leasing off our coast.

The moratorium has been a bipartisan, multi-State, bicoastal agreement for over 25 years, and as mentioned has been renewed annually since the 1980s.

The north coast of California along my district, and I want to point out that my district has the longest run of coastline, the most miles of coastline of any district in the lower 48 States, I want you to know that people don't want this moratorium lifted. And the businesses that operate up there can't afford to have this moratorium lifted. An oil or a gas spill off my district's coast could devastate one of the most unique marine ecosystems in the world, as well as the economy that depends upon it.

My north coast district is part of an upwelling zone found along the west coast. It's one of only four of these upwelling zones in the entire world. These upwelling zones bring nutrient-rich water to the surface, and they support an incredibly abundant and productive marine life, including fish. The ecosystem also supports some of the largest and the most economic fishing industries in the world. A spill in this area would be absolutely devastating.

The north coast of California also supports a large tourism industry, and that industry is vital to our local economy, our State economy, and it contributes mightily to our national economy. It's dependent upon pristine coves, pristine beaches and spectacular views, all of which would be threatened if this moratorium were to be lifted.

In addition, given the rural and rugged nature of my congressional district, an oil or a gas spill would be disastrous to an even greater extent because of the limited accessibility to get in and clean that up, as well as the limited resources that would be readily available for cleaning up a disaster of this magnitude.

Mr. Chairman, the north coast waters provide economic and biological benefits to our entire country, and they must be protected. Lifting this moratorium, as pointed out by previous speakers, does nothing to lessen our dependency on oil and gas. And more important, it does nothing to increase the research and use of alternative energy sources.

□ 1500

This amendment, and all of the other amendments that are proposing to lift this moratorium, need to be rejected.

Mr. GOHMERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate so much my friend from Hawaii across the aisle pointing out what he did. I would like to pick up on that. We are not just talking about lower fuel costs. That is extremely important. We are talking about that.

We are also talking about jobs. In my district alone, we have a huge plant there. Their feedstock is natural gas. They produce plastics. They produce all kinds of great things. If we did an actual test and checked, did a survey, I would bet you that most of the jobs there are held by Democrats. So even if you just looked at it politically, my goodness, we are losing Democrats' jobs by not bringing down the price of natural gas.

On top of that, it does cost other jobs when you raise the price of natural gas. For a country like ours that has natural gas all up and down our coast, east, west, down around the Gulf, there is a tremendous supply west of Florida in the Caribbean. We have all this natural gas. Yet what breaks my heart is that I see we are building new liquid natural gas ports on our coast so we can bring it in and become more dependent on people who don't like us.

It makes no sense at all. It is clean burning. It helps the environment. Yes, my friend indicated that we ought to be drilling in ANWR. Yes, we should. The caribou proliferate when we give them a good warm place to mate, like the pipelines, as has already been shown.

Mr. Chairman, I appreciate my friend, Mr. PETERSON, bringing this amendment. I would like to yield the remainder of my time to him.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I thank the gentleman.

Several things have been said that I think must be responded to. Oil and gas spills. Could someone here show me a gas spill? A natural gas spill? There is no recorded history of one. Natural gas comes out of the ocean floor and bubbles into the air all over the ocean all the time. But there is no spill.

The fact is you can't drill for gas without oil. I grew up around it. I have never made money in the oil business. I have never invested a dime in it. But I grew up around it. You drill a hole in the ground. You put a steel casing in the ground. You register every place you go through, coal, gas, oil, rocks. It is actually rocks that have oil and gas in them. Then you notch the pipe where you want to produce.

In Pennsylvania, there were three or four oil sands, and the gas is way below the oil in most places. There was a little bit of gas in the oil, but not a lot. You notch the pipe where you want to produce it. So if you want to produce gas, you notch the pipe and you produce the gas, and that is sand.

Natural gas is the future of America until we can grow our renewables. I am for wind. I am for solar. I am for biofuels. I am for hydrogen cars. But let me show you how small that is; 86 percent of our energy is fossil fuel; 40 oil, 23 gas, 23 coal. That is 86. Eight percent is nuclear. We are now at 94. Six is percent renewables. Listen closely, 6 percent renewables. Five percent is biomass and hydro. Wind, solar, hydrogen, and geothermal, our future, is 1 percent. If we can double it every 5 years, it will cost a lot, but I am for it. But we are still then at 2 percent.

How do we fuel this economy that is growing a need for energy by 2 percent, and we have countries like China and India that are growing at 15 to 20 percent, and their energy consumption is sucking up the world's supply? When the moratorium was put on, we had $2 gas and $10 oil. We were awash in it. It didn't matter.

Oil and gas is scarce today. There is a world shortage. Right now, they are predicting $79 oil this summer, which will be $3.50 gas without a storm in the Gulf, without a country being upset. The Wall Street Journal on Friday reported that if we have a storm in the Gulf and we have a country that gets upset that produces a lot of oil, we could have $85 to $89 oil. Do you know what that will do to home heating this winter? Do you know what that will do to travel costs? Folks, it is crisis time. Clean, green natural gas is the best alternative for a healthy America.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this amendment. I appreciate the gentleman's passion on this issue, but I do not agree that this is the time or the place to overturn the 25-year moratorium protecting our Nation's best ocean beaches and fishing areas. I agree that energy supply is vital to our Nation and our economy, but so is the natural environment.

Our committee has looked at this issue closely. The President's budget request and this committee's bill maintains the existing drilling moratoria for oil and natural gas exploration. I want to say that again. The President, who has been the strongest advocate for oil and natural gas development in the history of the country, in his budget opposes lifting this moratorium. I think we ought to listen to him this time. This leaves substantial areas in the Gulf of Mexico and off of Alaska that are available for exploration.

Our bill also continues the exploration and development of public resources onshore on our public lands. We really do not need to lift the moratorium now. The protected areas do not have substantial reserves. The total technically recoverable resources on the OCS are estimated to be about 86 billion barrels of oil and 420 trillion cubic feet of gas. The amount under moratoria, or Presidential withdrawal, after January 9, 2007, is estimated to be 17.8 billion barrels of oil and 76.5 trillion cubic feet of gas.

I also point out, and maybe the gentleman from Pennsylvania disagrees with this, that the industry people I have talked to say it is impractical to pursue natural gas-only drilling, which does not involve oil. It simply is impractical to issue leases only for gas and not for oil, as well.

I think it is important that we do not start major new developments in areas that are entirely lacking drilling and energy infrastructure. These are large areas which are already leased and are available for development. Before we open large, new and sensitive areas to development, we should focus our Nation's efforts in places that already have access to existing pipelines and distribution systems.

Mr. Chairman, the Peterson amendment seems so very simple, but that is not a good approach to such a complicated issue. This amendment would not allow the various States to have meaningful input on drilling activities and the extensive development onshore which would follow.

Please join me and continue our protection of America's priceless coastlines. Please defeat this amendment.

Mr. Chairman, I will ask for a vote on the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. TIAHRT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. PETERSON OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PETERSON of Pennsylvania:

Page 49, line 25, insert ''and within 100 miles of the coastline'' before ''in the areas of''.

Page 50, line 7, insert ''and within 100 miles of the coastline'' before ''in the Mid-Atlantic''.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that debate on this amendment, and any amendments thereto, be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Acting CHAIRMAN. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. PETERSON of Pennsylvania. Mr. Chairman, this amendment deals with 100 miles offshore. When we had the debate last year, I wanted to clarify something. Everybody kept talking about a compromise. We passed a major bill in the House that opened up the OCS for both gas and oil. The Senate passed what I call a little small bill in little pieces of the Gulf that President Clinton actually had in the 5-year plan, but never leased it.

In my discussions with the other body, we were always hoping to have a compromise, but we never had one. We never had a conference committee. We reluctantly agreed to take the Senate bill because it was something, and America needs something, so we took this small piece in the Gulf because it is some additional energy for America.

We will soon be 64 percent dependent on foreign, unstable countries. I hear on both sides of the aisle here that people are distressed about that. These are not our friends. These are countries that are not democracies. They are not real stable. We often lose energy when they just have their government topple or be out of favor for a while.

We are dependent on undependable countries of the world who are not our friends. They now set the price. OPEC is back in charge. OPEC turns the spigot and lets big oil make a lot of money. I said to somebody one day, big oil's best friends are Congress and OPEC.

□ 1515

Collectively, we have slowed up the ability to produce oil and gas. And when we slow up the ability to produce oil and gas, the price rises. And if you owned it when it was worth $30 a barrel and were able to produce it and make money, and government restriction of supply and OPEC's restriction of supply raises the price to $70, are you going to make money? You betcha.

If you want to drop prices down, open up supply. Wall Street traders run the price up. They set the price of gasoline, fuel oil, natural gas, oil. Wall Street. Why? Strategizing on it if they can buy it and sell it and make money today or tomorrow. We often pay 15 or 20 percent of our energy prices to Wall Street as they play with it because there are shortages. When it is plentiful, they don't monkey with it.

Folks, we need a plentiful supply of gas and oil for this country. Cuba is going to be producing with China and other countries 35 to 40 miles from the Keys, our most precious Florida parks. And we are going to stay completely 200 miles offshore.

Folks, this is insanity for this country to not utilize its resources, to be dependent on undependable countries who control our destiny. And as we grow the renewables, as we get more wind and more solar and more geothermal, it is going to be years, if not decades, before we have in sufficient quantity, and in the meantime we are going to need fossil fuels, and we need to produce them.

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

The Acting CHAIRMAN. The Chair recognizes the gentleman from Washington for 10 minutes.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the amendment, and I reserve the balance of my time.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Chairman, I want to support my friend Mr. PETERSON on this amendment.

I indicated in the last amendment, Mr. Chairman, that I had become a convert, not to everything that has to do with it, to just stand up and say, well, if it is going to be oil drilled anywhere or gas drilled anywhere, that I could care less, that doesn't make any difference. That is not true, and it is not the case.

In fact, what I have argued to the oil companies is, and I have said when I had the opportunity, why do you put these stupid ads in the paper that say we only make a return on investment the same as real estate agents? I said, there is a great way to go about saying why you got $30 billion in profits, that real estate agents are the opposition or the comparison.

I say, why don't you get up and say oil is $60 and $70 a barrel. We are rolling in money. We got so much money we don't know what to do with it. I feel like Huey, Louie and Dewey jumping into the piles of money for Scrooge McDuck. We got so much money we can't even begin to figure out how to spend it.

At that kind of money a barrel, what do you think the oil companies are going to make?

We have to have an energy supply in this country, and 100 miles out that is what we are going to have to do, because the opposition keeps on coming here against our energy independence. If we don't have energy independence, we are finished. We are destroying ourselves. Every other country in the world with a natural gas reserve out there, let alone with an oil supply, especially in the Outer Continental Shelves of their respective continents, are taking it and doing it and providing for their industrial expansion. That is what we are up against.

We are now in debt. You only have to go into the papers as recently as yesterday, the next globalization backlash. Wait until the Kremlin starts buying our stocks. We are in hock to the rest of the world, including Japan and China because they are owning this country because we have to import our energy. Energy independence is the key to freedom.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I appreciate very much the gentleman yielding me the time.

This amendment is aimed at the military mission line in the Gulf of Mexico. The only place that has a larger area of Outer Continental Shelf in the moratorium. Where the military mission line runs through the Gulf of Mexico.

Mr. MORAN spoke earlier of the flights that are training around Oceana in Virginia. I will speak to the training areas in the Gulf of Mexico that are used very, very effectively by the United States Air Force to train pilots in some of the newest, highest-technical aircraft that we have. That is what this amendment is about. It goes to violate the military mission line that we agreed on last year.

I don't get offended very often, but I am a little offended by this, for this reason: many of us in this Chamber voted for that bill last year, and we voted for it because it protected the military mission line in the Gulf of Mexico, as well as the environmentally sensitive areas. We voted for it because it provided a permanent solution to this issue of moratorium.

Now if the Peterson amendment passes, it hasn't been very permanent. By the way, Mr. PETERSON, and Mr. ABERCROMBIE, who is one of the architects of this agreement, agreed to this, and so we agreed to it as well because we thought that having a permanent solution was a good idea. But now this amendment goes back on the agreement.

That does offend me somewhat. When I make an agreement, I keep it, and most everybody in this House Chamber, when they make an agreement, they keep it. But these two Peterson amendments violate the agreement that brought most of us to vote for this bill last year.

Just one more point: if anybody thinks that drilling another well, and there are vast areas of the Outer Continental Shelf still available for drilling for oil and for gas, if anybody thinks another oil well in The Gulf of Mexico is going to bring down the price of gasoline, drive up to your gas station. Mr. PETERSON himself mentioned the fact that no matter what the supply would be, that the Wall Street traders control the price.

What are you paying for a gallon of gasoline today? A lot more than we ought to be paying. One more well, two more wells, 10 more wells aren't going to make a difference in the price of gasoline at the pump.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I thank the gentleman for yielding.

This drilling will be conducted in an environmentally sound method. Any time you have got an industrial operation going on, you have got some risks, but these risks have been understood for years and years and years; and this industry is so much better today at drilling and producing crude oil and natural gas than they have ever been. And, quite frankly, they will get better tomorrow than they are today, and they will be better the day after tomorrow than they are today as well.

It is inconsistent to say on the one hand that it is a national security interest for this country to be dependent on foreign sources of crude oil and natural gas, and I agree with that. The inconsistency comes, though, when we say let's do whatever we can to limit domestic production of crude oil and natural gas. That position is inconsistent with each other, and I would argue with my colleagues that they should examine that inconsistency.

The time to market again has been mentioned again, as it was earlier. In 1998, when this moratorium was put in place 9 years ago, today all of that production that would have started in 1998 and 1999 when the price was low would be available to this country to use in hotels for air conditioning, in all of the multiple uses that the natural gas is used for.

So I urge my colleagues to agree with the Peterson amendment and vote for it.

Mr. DICKS. Mr. Chairman, I reserve my time.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I want to thank my Pennsylvania colleague for yielding to me.

This is similar to the earlier amendment, although I rise in strong support of this because it is for new leases, offshore natural gas and oil, at least 100 miles of the U.S. coast.

Supply and demand for our energy is out of control and our Nation needs more energy from all sources. Demand for natural gas is already building across the economy and proposals pushing cleaner energy will only accelerate this demand. Natural gas, again, is the most abundant clean-burning fuel to heat and cool our homes and businesses. We also need a lot of natural gas to make the materials that we make wind turbine blades out of and solar blades.

Opening the OCS would save $300 billion in natural gas costs over 20 years for customers and manufacturers. High natural gas costs are sending manufacturing jobs overseas following the cheap gas. When I had the Shell CEO of Western Hemisphere two years ago sit in my office and say they transferred jobs from their chemical facilities in our country to the Netherlands because of the high cost of our natural gas, because the North Sea gas was so much cheaper, that is why we need the Peterson amendments.

Environmentally conscious nations like Norway, Denmark, Canada, Japan and the United Kingdom are safely producing natural gas in their coastal waters. Why can't we do it?

No other country in the world can it do as responsibly as we can. I have been on oil and gas rigs and have seen so few discharges into the ocean. A medium-sized fishing boat will leak more in a year than we will see off some of our rigs.

This amendment is a major opportunity for us to respond to today's energy crisis and the climate change with a national solution. I urge my colleagues to support the oil and gas production on the Outer Continental Shelf and support the Peterson amendment.

The Acting CHAIRMAN. The gentleman from Pennsylvania is reminded that under the unanimous consent agreement, he need not remain standing after he yields during the debate.

Mr. DICKS. Mr. Chairman, I have no further speakers at this point, so I would like the gentleman to finish and then I will finish.

The Acting CHAIRMAN. The gentleman from Washington has the right to close.

Mr. PETERSON of Pennsylvania. Mr. Chairman, as we talk about the production of energy and as we talk about oil being so devastating and gas being so devastating, Norway, Sweden, Ireland, Great Britain, Canada, Australia and New Zealand are all known for being environmentally sensitive countries. They all produce offshore. All of them. We are the only nation in the world that has chosen to close up our energy supply. We are dependent on unstable, unfriendly countries who control our prices and control the future of our economy.

The working people of America are counting on us to give them affordable energy that they can heat their homes with and drive their cars and have a decent competitive job. That is what this is about. And I wish we could do it with wind. I wish we could do it with solar. I wish all of those things were bigger and could grow faster.

Folks, we need to produce energy if we want to compete in the new global economy.

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment. Again, I want to point out to the gentleman that we really do not need to lift the moratorium now. The protected areas do not have substantial reserves. The total technically recoverable resources on the OCS, the areas where we are drilling off of Alaska and in the Gulf are estimated to be about 86 billion barrels of oil and 420 trillion cubic feet of gas.

The amount under moratoria, or Presidential withdrawal, after January 9, 2007, is estimated to be 17.8 billion barrels of oil, which is about one-fifth, and 76.5 trillion cubic feet of gas, which is about one-eighth.

So the reason we have the moratoria is because we think those areas are more important from an environmental perspective, that we need to protect our oceans and beaches. The gentleman from California was here and talked about the north coast of California. I represent the northern coast of Washington State, and I put this moratorium in place, I think, in 1984 for both Washington and Oregon. Mr. AuCoin and I did at the time.

I have yet to have one citizen in my State ever come up to me and say, why don't you let us drill for oil and gas off the coast of Washington? Nobody has ever asked us to do that. They want it

protected. It has got fisheries. It is one of the most beautiful beaches and coasts in the entire Nation.

I went up to see what happened with Exxon Valdez and see that oil spill and all that oil in and around the waters up there and how it destroyed the herring reproduction and all of the other species.

I want to protect the coast of Washington. I want to protect the coast of Florida, the coast of Virginia. Yes, we will drill off of Alaska. We will drill off the areas where the oil and gas exists. And if the gentleman from Hawaii is so interested in this, I am sure we can work out something for him out in Hawaii.

Mr. PETERSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I will yield to the gentleman from Pennsylvania briefly.

Mr. PETERSON of Pennsylvania. Do you realize how long it has been since we have actually done a modern seismographic on the OCS? It has not been done in 40 years. We didn't have good seismographics then. We don't really know, but we know there is a lot out there. If we had modern seismographics, it is usually three to four times what we thought.

Mr. DICKS. Mr. Chairman, reclaiming my time, I think we should continue to work in the gulf and off of Alaska where most of the reserves exist.

I urge a strong ''no'' vote on this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON).

The amendment was rejected.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with my colleague from Texas (Mr. HALL).

I applaud the good work that you have done, Mr. Chairman, to bring this Interior appropriations bill to the floor. There is a provision in the Interior appropriations billing that I fear will do harm to our ability to smoothly transition our Nation's energy infrastructure to the clean domestic energy future that we all desire.

In the debate on the Energy Policy Act of 2005, Mr. HALL introduced and shepherded through to enactment section 999, the Ultra-deepwater and Unconventional Natural Gas Research and Development Program. Today, more than 23 research universities and four not-for-profit research institutions are actively engaged in the implementation of this program.

A draft annual plan of research has been submitted to the Secretary of Energy for review and should be finalized within the next few weeks. That program is designed to foster collaborative research and development work by the best scientists and technologists in the country to develop the technologies that are necessary to find and produce the more than 1,200 trillion cubic feet of technically recoverable, but mostly unconventional, natural gas resources in this country.

I yield to the gentleman from Texas.

Mr. HALL of Texas. Mr. Chairman, I want to thank my colleague for those comments, and I would also point out this program will provide new technologies that will allow us to tap nearly 50 billion barrels of technically recoverable oil remaining in this country.

The United States has 55 years of natural gas resources in the lower 48, but much of it requires new technologies in order to produce it. Some 80 percent of these resources are on lands that are not subject to any access restrictions. New technologies will increase domestic energy supplies and increasing supplies will lower energy costs to consumers.

□ 1530

These technologies will enable less expensive, more efficient and more environmentally friendly domestic natural gas production. The universities and research institutions participating in this program are as follows: Colorado School of Mines; Florida International University; Jackson State University; Louisiana State University; MIT; Mississippi State University; New Mexico Institute of Mining and Technology; Penn State University; Rice University; Stanford; Texas A&M; University of Alabama; University of Alaska-Fairbanks; University of Houston; University of Kansas; University of Michigan; University of Oklahoma; University of South Carolina; University of Southern California; University of Texas; University of Tulsa; University of Utah and West Virginia University.

In addition, the following national labs are funded through this program: Idaho National Laboratory; Lawrence Berkeley National Laboratory; Lawrence Livermore National Laboratory; Los Alamos National Laboratory and Sandia National Laboratory.

Mr. LAMPSON. The Energy Information Administration has observed that this program will materially increase domestic natural gas and oil production. That increased production will more than pay for this research and development program by generating more royalty revenue from increased production of natural gas and oil from Federal lands that are already available, already available to be developed.

It is important to note, Mr. Chairman, that as this Congress grapples with the issue of providing robust funding to move toward increased energy independence, our Nation's energy companies are also investing in these similar research activities. Achieving energy independence isn't an easy task. It is going to take a significant investment from both public and private entities to move our Nation forward.

Mr. HALL of Texas. The House favorably voted on this provision in 2001, 2003, and 2005 and again on the conference report in 2005. Additionally, the House overwhelmingly voted last year to uphold the program by voting against an amendment to strike it by a vote of 161–255. These votes send a clear message that Congress supports this research and development program and all the benefits it will bring to the American public.

Like my colleague, Mr. LAMPSON, I have deep admiration and respect for Chairman NORM DICKS, and accept his assurance to work with us in the future for the greatest good for the greatest number.

Mr. LAMPSON. Mr. Chairman, we in this House are working hard on energy legislation to provide the tools that will help the Nation transition to clean domestic energy resources and more efficient use of those resources. We are making progress, but we must not lose sight of the scale of this challenge. We are concerned that by deferring funding for this program in 2008 in this Interior appropriations bill, the work of the program will be jeopardized, the anticipated increases in domestic natural gas and oil production will not be realized, and we will become even more dependent on foreign sources of energy while we are transitioning our Nation's energy infrastructure for the future.

Mr. Chairman, I have an amendment that will resolve this problem in the bill. However, in the spirit of comity, I will not move that amendment if I can have the commitment of the chairman to work to resolve this issue in conference so that this important program can move forward as it is authorized in the Energy Policy Act of 2005.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. LAMPSON. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate the concerns you have raised. I commit to you to work with you to resolve this issue in conference so that this program can continue to be implemented as is authorized by the Congress.

And I would also point out to my good friend from Texas, both of my good friends from Texas, that there is still $47 million in 2007 money that has not yet been obligated.

The Acting CHAIRMAN. The time of the gentleman from Texas (Mr. LAMPSON) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. LAMPSON was allowed to proceed for 1 additional minute.)

Mr. DICKS. Mr. Chairman, I know that the gentleman is concerned about that, and is working to see that that money is obligated as well. We will work with you on this. It is a very important issue. I appreciate your hard work and interest in this subject.

Mr. LAMPSON. Thank you, Mr. Chairman.

AMENDMENT OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONAWAY:
Strike sections 104 and 105.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that debate on this amendment, and any amendments thereto, be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Mr. PRICE of Georgia. Reserving the right to object, if I may ask a question as to the form of the unanimous consent request, is it my understanding that this 20 minutes would apply to every amendment to be offered hereafter?

Mr. DICKS. No, no, no, just for this one amendment.

Mr. PRICE of Georgia. I withdraw my reservation.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentleman from Texas for 10 minutes.

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

We have heard an awful lot of debate already about both of these sections. My amendment is straightforward and simple. It will strike section 104 and section 105 from this bill.

What the effect of that would be is to unleash the Interior Department's bureaucracy to begin running the leasing program that is provided throughout this legislation that is not related to what is being conducted today. This bureaucracy would make sure that the environment is protected and that these drilling operations are conducted in ways that will protect the military training lanes; and that these operations will be conducted in accordance with all of the vast array of regulations and rules that we have in place to protect the environment and protect the coastlines and produce this energy in a proper way.

Reference was earlier made about the oil spill in Alaska, and I would remind my colleagues that was the Exxon Valdez, a ship that ran aground that caused that oil spill and not directly related to the drilling and production phase of finding that crude oil.

As I said earlier, these operations can be conducted through environmentally sound methods. There is a significant amount of oil and gas to be found. I would prefer a 20 percent increase in anything, so to denigrate a 20 percent increase or 20 percent opportunity, I think, is misplaced in our arguments.

Cuba and the Chinese governments, along with other folks, are going to be drilling within 45 miles of Florida. That is not necessarily an excuse for us to also drill, but it is in recognition that the risk associated to the folks in Florida with not drilling are out of our control, and if we can control the drilling within 45 miles in ways that are appropriate, then we ought to do that.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman from Washington.

Mr. DICKS. Under your amendment, would you be able to drill in the Great Lakes or in the Chesapeake Bay or in Puget Sound or in the Long Island Sound?

Mr. CONAWAY. Section 104 and section 105, I don't know that it does the Great Lakes. But Puget Sound, I think we would be able to drill there. It would remove the moratorium that is in place now that prevents drilling in those areas, but I don't know that the Great Lakes is included.

Mr. DICKS. Okay. I knew that I opposed this amendment, but now I will oppose it with even greater fervor.

Mr. CONAWAY. I can include the Great Lakes if that will get you over the hump to agree to it.

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

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS) who has been a strong supporter of the moratorium throughout her career and has been a real leader on this issue.

Mrs. CAPPS. Mr. Chairman, I thank the gentleman for his leadership on this issue.

Mr. Chairman, I rise in strong opposition to these amendments which eliminate, and I think we heard it clearly, eliminate the long-standing bipartisan moratorium that currently protects the Nation's most sensitive coastal and marine areas from new drilling.

I support the current ban not just because I think our coasts are beautiful, and they are, and not just because I believe our coasts provide valuable environmental habitat, and they do, I support the ban because I know our coastlines are the economic engines of our communities and that is being threatened by new drilling.

The people in these communities, I represent them. I know the value of their coastlines, and that is why they are so against new drilling in these areas. These amendments would mean drilling within 3 miles of the beaches of Florida, California, North Carolina, and other coastal States. It also means drilling where there isn't a whole lot of oil and gas, and where tens of millions of our citizens have made it clear they don't want more drilling.

Mr. Chairman, the congressional moratoria has been in place for 26 years and reaffirmed by Presidents George H.W. Bush, Clinton, and George W. Bush, and every Congress since 1992. State officials have also endorsed the moratoria, including Republican Governors Charlie Crist and Arnold Schwarzenegger.

These actions have all been met with widespread acclaim by a public that knows how valuable, environmentally and economically, our coastlines are. I represent a district with over 20 oil and gas platforms off its coastline. I know that drilling has serious consequences for the environment. I see it every day.

I know that drilling generates huge amounts of waste, and significant levels of air and water pollution. These pollutants are a real threat to our public health.

These amendments are just a continuation of the backward thinking energy policies that have gotten us here in the first place. Last year, 279 Members of Congress voted to protect the Outer Continental Shelf moratorium when we defeated a similar amendment to push for drilling off our coast.

Votes against these amendments are the same thing: A vote to protect our coasts and a statement for new thinking on energy. And so I urge my colleagues with all the strength that I have to oppose these amendments and keep our coastline pristine, the economic engines that they are, and a stewardship we will pass on to our children and grandchildren.

Mr. CONAWAY. Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. I don't have any additional speakers, and I have the right to close.

The Acting CHAIRMAN. The gentleman from Washington reserves the right to close.

Mr. CONAWAY. Mr. Chairman, I yield myself the balance of my time.

Again, this moratorium has been in place for a long, long time, and the gentlewoman from California went through a litany of opportunities, and she has taken a different look at it.

We have a growing continued dependence on foreign crude oil. So the old adage about the definition of insanity of doing the same thing over and over and expecting to get a different result might apply in this instance.

This amendment would simply allow the Interior Department and its vast array of scientists and bureaucrats and technicians and others who look at this information day in and day out, who know the ins and out of it, to decide how the development of this resource should occur. They will protect the environment. They will protect the military lanes and make sure that all of our codes and rules and regulations are applied to these efforts throughout the time frame that this is conducted. I trust them to do it and do it correctly.

I urge adoption of this amendment to set a new track to provide additional natural gas and crude oil resources, domestic production for our country.

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

Mr. DICKS. Mr. Chairman, I yield myself the balance of my time.

I rise in very strong opposition to this amendment. I hope the House will defeat it resoundingly. This does not make any sense for our environmentally sensitive areas, particularly on the coast of California and Washington and Oregon on the West Coast, and the sensitive areas on the East Coast as well.

I ask for a ''no'' vote on this amendment.

Mr. DICKS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CONAWAY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. WYNN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as chairman of the Environmental and Hazardous Materials Subcommittee, I rise today in strong opposition to an amendment that was offered earlier today by the gentleman from Iowa (Mr. KING) to cut funding to the Superfund program. The Superfund program addresses public health and environmental threats from uncontrolled releases of hazardous substances.

According to the Center for Public Integrity's May 2007 report entitled ''Superfund Today,'' the Superfund program is desperately short of money to clean up abandoned hazardous waste sites, which has created a backlog of sites that continue to menace the environment and quite often the health of nearby residents.

According to the EPA, one in four Americans live within 4 miles of a Superfund site.

□ 1545

Mr. KING's amendment introduced earlier today would decrease funding for the Superfund program by $160 million. This is reckless when previous EPA Inspector General reports have indicated a shortfall of at least $175 million for remedial action projects. EPA's rate of construction completions at National Priorities List sites has dramatically decreased in recent years, from an average level of 86 per year during the years 1997 to 2000, down to 40 sites per year during years 2002 to 2006, and most recently EPA projected only 24 cleanups in 2007.

These sites present a serious risk to human health and the environment. For example, at the Libby, Montana Superfund site, where a plume of asbestos from a nearby vermiculite mine has enveloped the town, more than 200 people have died from asbestos-related diseases, according to EPA estimates. Cleanup at this site, begun in 2000, has not yet been completed.

Let me congratulate Chairman OBEY and Chairman DICKS on their decision to reverse the years of budget shortfalls for the core EPA programs that protect public health. I thank them and their staff for working closely with the Energy and Commerce Committee to increase the funding for these programs that are badly in need of funding after years of inadequate budget requests from the Bush administration.

This amendment by Mr. KING is shortsighted. Every Member that has a Superfund site in his or her district or State that votes for this amendment could be voting to delay cleanup at that site. At many of these sites, citizens are exposed to uncontrolled hazardous substances. Rather than cutting the funding, we need to support the well-considered funding level in H.R. 2643 for the Superfund program to expedite cleanup of these sites, protect drinking water sources, and allow sites to be redeveloped to spur economic development and create jobs.

I strongly urge all Members to vote against the King amendment later today.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $788,269,000, to remain available until September 30, 2009.

Mr. HERGER. Mr. Chairman, I move to strike the last word for a colloquy with the gentleman from Washington.

Mr. Chairman, over the past several years, we have seen the rise of a very disturbing trend on Federal lands: the creation of a billion-dollar international drug trafficking ring. Organized criminal gangs, headquartered in Mexico, have illegally entered our country and have established large scale marijuana growing operations in our national forests and national parks.

Gang members guarding these illegal ''pot gardens'' have been armed with automatic weapons and given orders to shoot to kill anyone who trespasses in the area. Hunters, recreators, and Federal employees in my district and others have been shot at when recreating or working on Federal lands. Eight of the Nation's 10 worst national forests in terms of illegal marijuana production are located in California. Three of those eight problem areas are located in my congressional district of northern California: the Shasta-Trinity, the Klamath, and the Mendocino National Forest.

Our Nation's national parks are also victim to illegal occupation by Mexican drug trafficking organizations. Regrettably, my home State of California suffers the worst of the infestation on Park Service lands as well. This includes a very serious problem at the Whiskeytown National Recreation Area in my district where illegal marijuana grows have been discovered within a few hundred yards of popular boating and fishing areas.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from Washington.

Mr. DICKS. We want to work with the gentleman on this important issue. We are very concerned about this problem and think it deserves our complete attention.

Mr. HERGER. I thank the chairman and greatly appreciate his efforts and the efforts of Ranking Member TIAHRT to improve public safety on Federal recreation lands.

Is it the committee's intention in granting this increase to ensure that these funds should be used to help dismantle and eradicate Mexican drug trafficking organizations in our national forests and parks?

Mr. DICKS. Yes, that is the intention of this legislation.

I completely agree with the gentleman. The increase is necessary in order to deal with this very serious problem. We will continue to work with the gentleman as we go to conference with the Senate. We will do the best we can to help on this important issue.

Mr. HERGER. Again I thank the chairman for that clarification.

Further, while I believe it would be inappropriate for those of us in Congress to micromanage the efforts of law enforcement as they work to dismantle these illegal drug networks by allocating funds only to specific areas, is the chairman able to clarify the committee's intention with regard to the distribution of funds throughout the Nation? Is it the committee's aim to ensure that the funds allocated are targeted to areas of the country that face the highest concentration of drug trafficking activity in the national forests?

Mr. DICKS. Yes, it is. I appreciate the gentleman bringing this to our attention. We should focus the resources on those areas where the problem is the most severe. If we have any problem with this, I'll be glad to work with the gentleman with the agencies involved to make certain that that happens.

Mr. HERGER. Again, I thank the gentleman from Washington and also the ranking member, Mr. TIAHRT.

AMENDMENT NO. 25 OFFERED BY MR. MCHUGH

Mr. MCHUGH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. MCHUGH:

Page 55, line 22, after the second dollar amount insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

Mr. MCHUGH. Mr. Chairman, I would like to begin by complimenting the chairman and the ranking member. I have sat on this floor for the last several hours and listened to the very impassioned debate. I think if nothing

else it should underscore the fact that the committee and the subcommittee have faced some very difficult decisions. Unless you have had the opportunity, the honor of serving on the Appropriations Committee or perhaps being involved as a general Member of the House, it's difficult to understand how hard the choices are that they are forced to make year in and year out. I commend them for that.

I have come today not to criticize any of the choices they have made but, rather, to offer what I believe, Mr. Chairman, is a very straightforward and relatively simple amendment. It is simply designed to maintain, not increase, not add to but maintain what is a 10-year record of level funding, a 10-year record of level funding to restore $1 million for the CASTNET program, which stands for the Clean Air Status and Trends Network, which would restore that money to allow this program to do some very important work.

What is that work? It would allow the 80 monitoring stations that are maintained under CASTNET to continue operating at the level that they have, as I have said, with level funding over the past 10 years. These are monitoring stations for a very important issue associated with acid rain that operate in some 40 States, from California to Massachusetts, from Maine to Florida and many, many points in between.

I think we can all agree, Mr. Chairman, that for all of the debate that occurs about global warming, for all the debate that occurs about what should be done, one of the critical issues we should engage upon is that of monitoring to make sure that our baseline data, our research is sufficient to make the wise decisions.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. MCHUGH. I would be happy to yield to the distinguished Chair.

Mr. DICKS. I want to commend the gentleman for bringing up this issue. Based on the additional information that has come to light concerning the impact of this 25 percent reduction to the Clean Air Status and Trends Network, CASTNET, and based on the gentleman's hard work and effort on this, we are prepared to accept his amendment.

Mr. MCHUGH. I thank the gentleman for restoring the cut that was proposed by the administration. I commend him and the gentleman from Kansas for their work.

Mr. TIAHRT. Mr. Chairman, will the gentleman yield?

Mr. MCHUGH. I would be honored to yield to the distinguished ranking member.

Mr. TIAHRT. I want to thank the gentleman from New York. This is a very important monitoring program. The gentleman from New York has made a very reasonable request. I want to thank him. I know he's been very concerned about environmental issues all across the Nation as well as in New York. I thank him for his leadership. We have no objection to this amendment and thank the gentleman for offering it.

Mr. MCHUGH. I thank the gentleman.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. MCHUGH).

The amendment was agreed to.

Mr. KING of Iowa. Mr. Chairman, I move to strike the last word for the purpose of a colloquy.

I raise the issue today of Storm Lake, Iowa. It happens to be one of the southerly most glacial lakes in the country, and it's the shallowest one that we have. It has been under a process of removal of that silt for water quality and for environmental reasons. We've done a great job of protecting the siltation in the entire watershed area. There's always ongoing work there, and it's never perfect. But this is a project that has been engaged in with local money, and that means private money, city money, county money, State money and Federal. It's a five-way partnership that has been working here, and we have 700,000 yards of silt to go.

I direct my inquiry to Chairman DICKS. I requested funds to address this challenge through the EPA's EPM account. It is my understanding, Mr. Chairman, that these projects have not been earmarked at this time for that particular account.

Would that be a correct assumption?

Mr. DICKS. If the gentleman will yield, yes, that is correct. There are presently no Member projects within the EPA EPM account within this bill.

Mr. KING of Iowa. I thank the gentleman. Is it the chairman's expectation that these types of projects will be added in conference with the Senate?

Mr. DICKS. While I can't predict the future of negotiations with the other body, I would be willing to take a closer look at the gentleman's specific concern at that time.

Mr. KING of Iowa. I thank the gentleman for his attention to this matter and Ranking Member TIAHRT as well and look forward to those discussions as we move forward to conference.

Mr. DICKS. If the gentleman will yield, one approach might be for the gentleman to go to the EPA with the money that they get that is unearmarked and make a presentation there about the importance of this program. I'm not certain he's going to do that, but that's a suggestion we have from our staff.

Mr. KING of Iowa. Reclaiming my time, I very much appreciate the chairman's recommendation and will happily follow through on that recommendation. I thank your staff as well.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PRICE of Georgia:

Page 55, line 22, insert ''(reduced by $3,884,000) (increased by $3,884,000)'' after the second dollar amount.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the opportunity to offer this amendment.

This amendment would reduce the EPA operations and administrations budget by $3.884 million and increase the EPA's science and technology homeland security water security initiative by that same amount. This area of the EPA program was decreased by $3.884 million below the President's request and $9 million below 2007 appropriations levels.

The operations and administrative appropriations has been increased by $40.8 million from the 2007 level, although that's the administration's request and I commend the committee for meeting that request.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Georgia. I yield to the gentleman from Washington.

Mr. DICKS. We are prepared to accept the gentleman's amendment.

Mr. PRICE of Georgia. Reclaiming my time, I appreciate the chairman recognizing the importance of this initiative. I thank him very much.

I am happy to yield to my friend.

Mr. TIAHRT. I want to thank the gentleman from Georgia. I think it's a very important issue that we test our Nation's water and make sure that we do have a secure water system. This is very timely. We're a little behind schedule now, so I think it's a very appropriate amendment. We have no problems with it, either.

Mr. PRICE of Georgia. I thank the gentleman. I appreciate the individual's understanding and recognizing the importance of this initiative.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMISSION ON CLIMATE CHANGE ADAPTATION AND MITIGATION

(INCLUDING TRANSFERS OF FUNDS)

For expenses necessary for support of the activities of the Commission on Climate Change Adaptation and Mitigation established by this Act, $50,000,000, to remain available until the termination of the Commission on September 30, 2009: *Provided*, That $5,000,000 shall be available to the Administrator of the Environmental Protection Agency for the direct support of the Commission in reviewing science challenges related to adaptation and mitigation strategies necessitated by climate change, and for identification of specific action steps to address these challenges: *Provided further*, That funding allocated for direct support of Commission activities shall include the salaries and expenses of Commission staff, travel and related costs of Commission members and for the contractual costs of the National Academy of Sciences: *Provided further*, That, not later than July 1, 2008, the remaining

$45,000,000 shall be transferred by the Administrator to agencies or offices of the Federal Government with climate science responsibilities for implementation of Commission recommendations.

AMENDMENT EN BLOC OFFERED BY MR. GINGREY

Mr. GINGREY. Mr. Chairman, I have an amendment at the desk.

The Clerk read as follows:

Amendment offered by Mr. GINGREY:
Strike page 56, lines 1 through 23.

Mr. GINGREY. Mr. Chairman, I have two amendments that occur sequentially in the bill, and I would ask unanimous consent that my amendments be considered en bloc.

The Acting CHAIRMAN. Is there objection to considering the amendments as one?

There was no objection.

The Acting CHAIRMAN. The Clerk will report the other amendment.

The Clerk read as follows:

Amendment offered by Mr. GINGREY:
Strike page 56, line 24, through page 57, line 11.

Mr. GINGREY. Mr. Chairman, my amendment strikes the Commission on Climate Change Adaptation and Mitigation from this appropriation bill. I offer this amendment not because I think an interagency climate change science program necessarily is a bad idea, but because it is clearly authorizing on an appropriation bill, and I object to this procedure.

House rule XXI (2) prohibits changing existing law in an appropriations bill. Contrary to this rule, the language included in the EPA section of H.R. 2643 changes existing law by establishing this new Commission on Climate Change Adaptation and Mitigation which is tasked with ''reviewing science challenges related to adaptation and mitigation strategies necessitated by climate change.''

□ 1600

An interagency climate change science program that reviews these questions already exists under the Global Change Research Act of 1990. The Office of the Parliamentarian confirms that this provision does violate rule XXI.

Also, Chairman GORDON and Ranking Member HALL of the Science and Technology Committee sent a letter to the Rules Committee outlining these concerns requesting that the Rules Committee not waive points of order against this provision. Yet last night the Rules Committee reported out a rule that waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

Again, I reiterate, I am not opposed to authorizing a strong interagency climate change science program. In fact, on Wednesday, Science and Technology Committee will take up a bill, H.R. 906, that does just that. I plan to vote for it.

H.R. 906 reorients the U.S. Global Change Research Program to produce more policy relevant information about, among other things, adaptation and mitigation. It also emphasizes the need to develop information to help communities make themselves more resilient to climate and other environmental changes. This is nearly identical to the task given to the Commission on Climate Change in this bill, H.R. 2643.

Mr. DICKS. Will the gentleman yield?

Mr. GINGREY. I will be glad to.

Mr. DICKS. I appreciate the gentleman's very constructive approach to this matter. I just wanted to make sure the gentleman knew that the distinguished chairman of the Science and Technology Committee, Mr. GORDON, and I had a colloquy at the start of the day in which I committed myself to work with him to align our approach with the work of the Science and Technology Committee when that legislation is enacted.

I would hope that the gentleman might consider that in making his decision whether to go forward with this amendment, because I do believe we have a commitment to get this important work done.

As the gentleman has mentioned, and I will give the gentleman additional time, if necessary, as the gentleman has mentioned, adaptation and mitigation of the effects of climate change are terribly important to the United States, to our wildlife, to our habitat. In fact, this is an issue that is worldwide in reach and scope.

I would hope that the gentleman might reconsider his amendment to strike and allow us to go forward with a commitment that I have made to the chairman, and I make to you, that we will work this out in a way that is consistent with the authorizing legislation. That's why the chairman was willing to go along with me at this point.

Mr. GINGREY. Reclaiming my time.

The Acting CHAIRMAN. The gentleman's time has expired.

(By unanimous consent, Mr. GINGREY was allowed to proceed for 2 additional minutes.)

Mr. GINGREY. Mr. Chairman, I thank the subcommittee Chair. Mr. DICKS and Mr. GORDON are honorable Members, and I am aware of the colloquy that they have had in regard to this matter.

But to me the point is, and I want to go forward with this amendment, because it's not just this authorizing committee that I am concerned with, the Science Committee that I sit in on or the Armed Services Committee, it's all the authorizing committees.

This rule, I think, is very, very important. For the Rules Committee to just waive this, I know that the other side, us, in the 109th, probably did the same thing on occasion.

But at some point we need to draw the line on this, and how do we know that this bill, H.R. 906, that we are going to consider tomorrow, will ever get through the other body, and then we have this bill that's basically an appropriations bill and legislating on that.

I think we ought to, as we go back into our district and talk to middle school students, and explain how this Congress works and what's the purpose of authorizing committees and appropriations committees, so they can understand that. This is just a situation where I feel very strongly about standing for the process, not necessarily what's been worked out between Mr. DICKS and Mr. GORDON.

I respect both of them, I trust them. I know they will try to work this out. But the more we do this, the more confusing it gets.

With all due respect to the chairman, I will not withdraw my amendment, but have a vote on it.

Mr. DICKS. Mr. Chairman, I rise in opposition to this amendment.

I believe the report language beginning on page 100 very adequately describes and justifies the new Commission on Climate Change, adaptation and mitigation. As I noted in my opening remarks, we have tried in this bill to move the climate change debate beyond talking about whether global warming exists and, instead, focus on what we must do to deal with this as a reality. The recent reports of the international panel on climate change make clear that warming will persist for many years irrespective of any regulatory actions or technology breakthroughs which may occur in the near future.

Testimony before our subcommittee in April describes significant impacts already occurring. These impacts included increased wildfires, changing precipitation and water availability patterns, increasing presence of invasive species, changing migratory patterns for many animals and birds, and significant loss of habitat for many species. The 2-year Commission established in this bill is intended to help identify and jump start the science which can help our country and the world adapt to these changes.

The Commission brings together a panel of 15 of this country's science leaders, and is headed by the president of the National Academy of Sciences, Dr. Ralph Cicerone. Dr. Cicerone, who I have met with personally on this proposal, is one of the world's leaders in climate change studies.

While the use of advisory panels is common in guiding federally-funded science, this panel is different in two ways. First, it cuts broadly across all areas of Federal science in looking at the climate problem. I make no apology for that. This is a national and worldwide problem, and I think we need to think beyond the traditional agency or subcommittee's stovepipe approaches.

Second, the Commission has $45 million to begin implementation of its recommendations. Giving the commission implementation funds will make it both more credible and more effective.

This is not a large amount of money, but we believe it could get a few of the

most critical science initiatives going without having to wait for the 2009 funding cycle.

Chairman OBEY has asked our subcommittee to be aggressive and imaginative in approaching the climate change challenge this year. We think that the funding, provided in this bill for the climate change adaptation and mitigation science, responds to that need, and I urge the funds be preserved.

The committee is aware, however, that a number of other committees are working on legislation in this area. Chairman OBERSTAR, from the Transportation and Infrastructure Committee, has written us in support of our Commission, which he believes can be supportive of efforts in his committee.

We are also working closely with the Natural Resources Committee, and we understand how Science, as I mentioned earlier, will mark something up in July. I want to assure the Members that when we get to conference on this bill, presumably in September, I am going to try for July. We will give full consideration to any new legislation which may be adopted as we finalize fiscal year 2008 spending for climate research in our committee.

I think it would be a real tragedy for this House, on the first major amendment this year on climate change, to have a negative vote, to show that we still don't get it, that we still don't realize that the planet is at risk here.

So I urge the committee to stay with us. This was approved in the Appropriations Committee, and I think it's a very good Commission, and I think this thing will work and will help us adapt to the problems that we are going to face because of this. We have these problems on all of our Federal lands. We had a hearing on that.

I think this is an important amendment. I urge everyone to defeat the gentleman's amendment.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to stand up in support of my colleague from Georgia's amendment.

I spent 12 years in the Georgia House in the minority. What I tried to do for that 12 years is change the process, because the process was broken. When the process is broken, the product is flawed.

When I came to Congress, I came as a freshman in the majority, and found that the process was still broken. So I found myself going from being in the minority trying to change the process, to being in the majority trying to change the process that the majority was using.

Now I find myself back in the minority still trying to change the process, because the process in Washington is broken.

I think Mr. GINGREY's amendment highlights that, in that we adopted rules in this House on first day, but we keep waiving those rules when those rules don't fit what we want to do. Now this is not to say anything about a Commission on Climate Change. But when you let public opinion, and you let political winds determine public policy, then the taxpayers of this country pay for it.

That's exactly what the majority party is doing. In fact, Mr. Chairman, we used to have a majority party and a minority party. I think, now, some people in this body think they are a monarchy, that they control everything, that the process should just be overlooked.

The gentleman's amendment talks about this process and who has authorization and who has oversight. If you will remember when we first opened up and we had the first 100 hours or 100 days or 100 amendments or 6 for '06 or whatever it was, we didn't go through any regular process, no regular order. So we have seen this body go from what the minority, now the majority, used to complain about us.

You know, my momma used to say to me, Lynn, if your buddy jumped off the cliff, would you jump after him? Well, I am going to ask, I am going to ask the side over there, if we jumped off a cliff or no matter what we had done, are you saying, well, you all did it. That sounds like a bunch of kids playing in a sandbox.

We need to stop the things that are wrong with the process today, no matter who used to do them. No matter what's been done in the past, let's look at today. Let's see if we can't make a difference.

That's what I ask, that we go through the normal process. I think the gentleman from Georgia's amendment gets us back to that place. It puts the Rules Committee, hopefully, back in a light to where they understand that we are not going to stand for the continual waiving of the rules that this House adopted.

I yield to the gentleman from Georgia.

Mr. GINGREY. I thank the gentleman for his remarks, and I thank him for yielding some time to me to conclude.

Mr. Chairman, I think the gentleman said it just as well as it can possibly be said. Again, I want the gentleman from Washington (Mr. DICKS) to know that it's not in opposition at all to the creation and the format of the committee. I think it's a grand design, a good idea. We all need to work toward climate change problems and solutions. I am just saying that this issue, and Mr. WESTMORELAND pointed out very well, that it's a process issue that we are opposed to, and I thank the gentleman for giving me the opportunity.

In conclusion, I want to urge my colleagues to allow the suitable authorizing committee, the Science and Technology Committee, to complete its consideration of the best way to improve our inter-agency climate science programs by supporting this amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I oppose this amendment, and I hope that this amendment, obviously, will not pass.

In our subcommittee earlier this year, in testimony on the hearings that were held in relation to the park service and the Fish and Wildlife Service and the Forest Service and EPA, people spoke of the challenges to their stewardship, of our lands, basically our public lands, that were caused by climate change.

Then toward the end of our hearing's process, we held a hearing specifically on the issue of climate change and had witnesses who were experts in that field to speak to the issues there, and they testified describing, for instance, how permanent ice coverage in the Arctic has shrunk dramatically at an ever-increasing rate.

It's at an ever-increasing rate because, first of all, because ice coverage reflects sun's heat back to the atmosphere, back to space, whereas water and land absorbed that heat, so that heats, that raises the temperature.

Because methane is released from permafrost, as you take the ice cover off, and the land heats up, ends up expanding the greenhouse gas blanket that is the very cause of global warming. So they are telling us by the year 2050, we will have no ice over a substantial piece of the north polar region that is then contributing to ever more greater global warming.

□ 1615

They tell us that the Everglades National Park is at risk from rising sea levels and more intense hurricanes. They tell us that the changing climate has allowed invasive species to move into new ecosystems where they have no predators and they can expand explosively, which they're doing, for example, the northern pine beetle in huge portions of the northern forests in the northern U.S. and in Canada over much of the central part of the continent, and increasing severity of droughts that will make our lands more vulnerable to forest fires and such. In any case, regardless of one's opinion on the need to regulate greenhouse gas emissions, it is irresponsible to ignore the impacts that we are witnessing.

For the record, this commission that the amendment would eliminate does not create any new regulations with regard to carbon dioxide emissions or any other greenhouse gas emission. What the commission does would be to review and assess the scientific challenges to the available adaptation and mitigation strategies necessitated by the climate change and simply provide recommendations to the various Federal agencies on how to proceed.

It seems to me that with the importance of this issue of global warming and the climate change that comes with that global warming, that it would be irresponsible for us not to look at those things that are particularly within the jurisdiction of our subcommittee and to seek the ways that

we might adapt and mitigate those climate changes.

And so I hope that we will not be tempted here to take a shortcut that will cost us deeply in the future, and I hope this amendment will not be adopted.

Mr. HALL of Texas. Mr. Chairman, I move to strike the last word.

I speak as the ranking member of the Science and Technology Committee, and I support Dr. GINGREY of Georgia. And the problem is the process.

Actually, this committee oversees on some of the most exciting parts of the Federal Government. We hear from astronauts at NASA about new discoveries in space. We work with scientists at the National Institute of Standards and Technology to ensure that the best technology informs decisions, such as new materials, even for bulletproof vests, standards for the nanotechnology industry.

At the Department of Energy, we support research and the technologies to make America energy independent. And I guess through the National Science Foundation, the National Oceanic and Atmospheric Administration, Environmental Protection Agency and other agencies, we oversee the $2 billion interagency climate change science program. In fact, on Wednesday, the Science and Technology Committee will consider a bill, H.R. 906, to reauthorize this very important research program.

This is exactly why I was a little disturbed when I read H.R. 2643 and saw the provision establishing a commission on climate change, which is supposed to review the science challenges associated with adapting to climate change. That mission is the same as already existing interagency climate change science program. Also, establishing an interagency commission clearly violates clause 2 of rule XXI which prohibits changing existing law in an appropriations bill. The current interagency climate change science program was established by a Science Committee bill in 1990, the Global Change Research Act.

Actually, climate change science falls clearly within the jurisdiction of the Science and Technology Committee, and this provision of H.R. 2643 clearly violates clause 2 of rule XXI. For these reasons, I urge all my colleagues to support the rules of the House and the jurisdiction of the committee and vote ''yes'' for the Gingrey amendment.

The Acting CHAIRMAN. The question is on the amendment en bloc offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was rejected.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Commission established and financed with this appropriation shall consist of the Administrator of the Environmental Protection Agency, the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, the Director of the United States Geological Survey, the Undersecretary for Science of the Department of Energy, the Administrator of the National Oceanographic and Atmospheric Administration, the Chief of the United States Forest Service, the President of the National Academy of Sciences, who shall serve as the Commission's Chairman, the President of the National Academy of Engineering, and six additional members with appropriate expertise, to be selected by the Chairman.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; and not to exceed $9,000 for official reception and representation expenses, $2,375,582,000, to remain available until September 30, 2009, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

AMENDMENT NO. 21 OFFERED BY MR. JINDAL

Mr. JINDAL. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. JINDAL:

Page 58, line 3, insert ''(reduced by $2,500,000) (increased by $2,500,000)'' after the dollar amount.

Mr. JINDAL. Mr. Chairman, every summer an environmental phenomenon occurs off the coast of Louisiana, at times covering over 7,000 square miles off the Gulf of Mexico. This dead zone, or hypoxic zone, in the Gulf of Mexico is an expanse of oxygen-depleted waters that cannot sustain most marine life. This hypoxic zone is caused by excessive amounts of nitrogen pollution delivered to the gulf by the Mississippi River.

The dead zone has become a serious threat to commercial fishing, shrimping and recreational industries. The gulf produces approximately 40 percent of the United States commercial fish yield. The livelihoods of many thousands of people and their communities are at risk, as is the large marine ecosystem on which they depend.

My amendment provides resources to combat the development of hypoxia by directing $2.5 million in additional funding for the Environmental Protection Agency's Gulf of Mexico program. These funds will go to the five Gulf of Mexico coastal States, Texas, Louisiana, Mississippi, Alabama and Florida, local governments, colleges, interstate agencies, individuals and nonprofit agencies. They are used to develop the techniques and science needed to restore and protect the Gulf of Mexico ecosystem and included projects to develop solutions to the dead zone in the gulf, improve water quality, and restore coastal areas.

The Gulf of Mexico program, with a recommended budget of $4.5 million, has again been provided with much less funding than the other great water body programs, for example, the Chesapeake Bay at $30 million, the Great Lakes at $25 million, the Puget Sound at $15 million and the Long Island Sound at $10 million.

With the growth of the dead zone and the dramatic loss of coastal wetlands, my amendment will help to make up for this disparity at a time when funding to develop solutions is needed more than ever.

I urge my colleagues to support my amendment. We must develop the techniques to restore and protect the areas of our gulf coast.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. JINDAL. I yield to the gentleman from Washington.

Mr. DICKS. I want to tell the gentleman I appreciate his hard work on this issue, and we're prepared to accept his amendment. And having had dead zones off the coast of Washington State, in Puget Sound and in Hood Canal, I can tell you this is a very serious problem, and I'm very pleased the gentleman is working so hard to deal with it and bring it to our attention.

Mr. JINDAL. I thank the chairman for accepting the amendment and thank him for his support.

Mr. JINDAL. Mr. Chairman. I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that shifts funding within the EPA environmental program and management account.

Although the rules of the House prevent me from specifying in the amendment where the funding will go, it is my intention to increase by $2.5 million the funding for grants as part of the Environmental Protection Agency's Gulf of Mexico Program. Grants awarded under this program go to the five Gulf of Mexico coastal states (Texas, Louisiana, Mississippi, Alabama, and Florida), local governments, colleges, interstate agencies, individuals, and nonprofit agencies. They are used to develop the techniques and science needed to restore and protect the Gulf of Mexico ecosystem. They have been used for projects working to develop solutions to the dead zone in the Gulf, improve water quality, restore coastal areas, and educate others about findings to allow better informed decision-making.

The Gulf of Mexico Program, with a recommended budget of less than $4.5 million, has again been provided with much less funding than the other similar great water body programs. For example, the Committee has provided $30 million to the Chesapeake Bay program, $25 million to the Great Lakes program, and $15 million to the Puget Sound program. My amendment will help to make up for this disparity, at a time when grants to develop solutions in the Gulf are needed more than ever.

For example, it is imperative that solutions are found to the Dead Zone problem in the Gulf that are consistent with the economic well-being of the region and our inland states. The dead zone is an area off the Louisiana and Texas coasts in which water contains low amounts of oxygen. It is caused by excessive algal growth. The low oxygen causes fish and shrimp to leave the area, and it kills the marine life that cannot get away. Last year, the dead zone measured over 6,600 square miles, which is about the size of Connecticut and Rhode Island combined.

Another important area where solutions are needed is with restoring our coastal wetlands. Since the 1930s, coastal Louisiana has lost over 1.2 million acres, an area nearly the size of the state of Delaware. This area is critical to fish and wildlife, including endangered species, and to the people of Louisiana.

I urge my colleagues to support my amendment. The Gulf of Mexico produces approximately 40 percent of the U.S. commercial fish yield, and it provides critical habitats for 75 percent of migratory waterfowl traversing the United States.

We must develop the techniques to restore and protect the areas off our Gulf Coast. Increasing the allocations for grants will help to do that.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JINDAL).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. CONAWAY:

Page 58, line 3, after the dollar amount, insert the following: ''(reduced by $2)'' .

Page 58, line 3, after the dollar amount insert the following: ''(increased by $1)''.

Page 60, line 24, after the dollar amount, insert the following: ''(increased by $1)''.

Page 61, line 13, after the dollar amount, insert the following: ''(increased by $1)''.

Mr. CONAWAY. Mr. Chairman, I will be willing to withdraw the amendment, but would first ask unanimous consent to enter into a colloquy with Mr. DICKS on the subject.

Mr. Chairman, I am sure you agree that all people deserve access to affordable drinking water and families in rural communities should not be required to spend thousands of additional dollars each year to comply with unfunded mandates from the EPA.

Mr. DICKS. I certainly agree with the gentleman that rural communities are unfairly burdened by the high costs associated with Federal clean water regulations and that families in such communities are shouldering alarmingly high rates of increase.

Mr. CONAWAY. Mr. Chairman, currently, small community water systems across America are being forced to increase rates to meet clean water regulations, and some of my constituents pay almost 800 percent more for their water than their urban counterparts. While the rules may be well-intentioned and promote public health, we must do a better job of addressing the restraint of small systems and their communities to raise the capital and afford water treatment technology. If we don't, rural, middle-income families will be forced to leave community water systems in favor of water sources they can afford, namely, unregulated shallow groundwater wells and dirt tanks, and that will not advance the cause of clean, safe water for everyone.

I have proposed to take a symbolic $2 from the Office of Ground and Drinking Water, the office which oversees these water regulations, and direct the symbolic funds to two offices which may assist rural water systems comply with these unfunded mandates.

First, the EPA is currently working on revising the Small Drinking Water System Variance Affordability Methodology, which, once completed, will redefine the EPA's definition of ''affordable'' to more accurately reflect the world in which rural America lives. My amendment would return $1 to the Office of Ground and Drinking Water to facilitate and urge the completion of this urgent report. Once completed, this report should help communities utilize the existing routes to afford more cost-effective technology.

Second, I would have chosen to redirect $1 to the Drinking Water State Revolving Fund, which was established in the Safe Drinking Water Act Amendments of 1996 to highlight the shortfall in funds faced by small community water systems. Although loans are not an ideal way to support unfunded mandates on small water systems, I have been unable to find any other relevant program to build these funds.

I would like to encourage the creation of a significant grant program for Small Community Water Systems using existing funds. I would like this fund to be modeled on the USDA Rural Utility Services and the Clean Water Hardship Grants program. There is an urgent need for some funding, as the Rural Utilities Service currently has a backlog of $3.3 billion worth of program applications, and the EPA estimates that over the next 20 years small water systems will need $34 billion to continue to meet EPA mandates.

To begin the discussion and move us in the direction of clean, safe and affordable rural drinking water, I have recently introduced H.R. 2141, the Small Community Options for Regulatory Equity Act. This bill would further assist rural communities in complying with the cost of clean water regulations by allowing not-for-profit water systems serving less than 10,000 people to request exemptions from the national drinking water standards that are too costly for them to implement. This would return decision-making power to our local communities who are best suited to understand their needs and resources and ensure that rural communities could provide clean enough water without forcing their citizens to completely unregulated water sources.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman from Washington.

Mr. DICKS. I commend the gentleman for his efforts on the part of his constituents and for all the rural water users who are facing similar problems. I commit to work with the gentleman to see what can be done to address the problems as this legislation moves forward to conference with the Senate.

I might point out that we did put $16 million in the bill for the rural water. There's going to be a competition. This had been an earmark in the past, but it got thrown out in 2007.

□ 1630

I have been calling over there to Mr. Grumbles at the EPA to try to get this thing moving as fast as possible so that the money gets out to the rural communities. And I commend the gentleman. This is a major problem. I have a lot of rural areas in my district, and every single one of them is having a terrible time getting the money to do the clean water issues.

Now, remember this too: When Christine Todd Whitman did her study, she came up with a backlog of $388 billion. So we are going to need a new authorization program. And I commend the gentleman for having one that focuses on the rural areas. And we have got to at least do that as a priority.

So I commend the gentleman and we will continue to work with him.

The Acting CHAIRMAN. The time of the gentleman from Texas has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. CONAWAY was allowed to proceed for 1 additional minute.)

Mr. CONAWAY. Mr. Chairman, I yield the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Chairman, I thank my colleague from Texas for his work on this issue.

The need for rural water assistance needs continues to increase with the expansion of Federal water regulations. And because of limited local resources, small communities in my district face severe hardships as they comply with the Safe Drinking Water Act and the Clean Water Act.

We need to find ways to work to protect the public health without placing overbearing costs on small communities, and I look forward to the EPA's updates to the Small Drinking Water System Variance Affordability Methodology.

Mr. CONAWAY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as

amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $43,500,000, to remain available until September 30, 2009.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,801,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; $1,272,008,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2007, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,272,008,000, as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided,* That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further,* That of the funds appropriated under this heading, $10,000,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2009, and $26,126,000 shall be paid to the ''Science and Technology'' appropriation, to remain available until September 30, 2009.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, as amended, and for construction, alteration, repair, rehabilitation, and renovation of Environmental Protection Agency facilities, not to exceed $85,000 per project, $117,961,000 to remain available until expended, of which $82,461,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act, as amended; $35,500,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code, as amended: *Provided,* That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally-recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $17,280,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,391,514,000, to remain available until expended, of which $1,125,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the ''Act''); of which up to $75,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, intermunicipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; $842,167,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended; $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $10,500,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages: *Provided,* That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (3) not later than October 1, 2005, the State of Alaska shall make awards consistent with the State-wide priority list established in 2004 for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; $140,000,000 shall be for making special project grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; $100,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; $50,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005, as amended; and $1,113,847,000 shall be for grants, including associated program support costs, to States, federally-recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $49,495,000 shall be for carrying out section 128 of CERCLA, as amended, $10,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, $18,500,000 of the funds available for grants under section 106 of the Act shall be for water quality monitoring activities, $25,000,000 shall be for making competitive targeted watershed grants, and, in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act, as amended, $2,500,000 shall be for financial assistance to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended: *Provided further,* That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2008 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further,* That for fiscal year 2008, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to federally-recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: *Provided further,* That for fiscal year 2008, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of that Act: *Provided further,* That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

ADMINISTRATIVE PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING RESCISSIONS OF FUNDS)

For fiscal year 2008, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003), as amended.

None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

From unobligated balances to carry out projects and activities authorized under section 206(a) of the Federal Water Pollution Control Act, $5,000,000 are hereby rescinded.

None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (59 Fed. Reg. 7629; relating to Federal actions to address environmental justice in minority populations and low-income populations).

Of the funds provided in the Environmental Programs and Management account, not less than $2,000,000 shall be available to take such actions as are necessary for the proposal of regulations requiring the reduction of greenhouse gas emissions and to publish such proposed regulations.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there are some people on their way down here that wanted to talk about a very important issue related to the Department of Agriculture related to Payment in Lieu of Taxes, which is an issue that has been very important to many members of the committee, especially the Western Caucus. And in that problem we have seen several charts that have been brought forward. One of them showed all of the Federal lands that are in the Western States and because of those Federal lands, they are unable to assess taxes for their local communities and including their schools.

So at this point in time, it seems like it is a very pertinent time for us to deal with the PILT issue. And I know, Mr. Chairman, when we heard testimony about Payment in Lieu of Taxes, it was a great hardship on the local communities, especially the schools.

We should give our Members an opportunity to talk about their particular communities and the needs that they have. I think it is important for us to think about how we are going to make an equitable situation for these Western States where they have problems in those areas.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I thought the gentleman has been urging me to try to figure out ways to reduce the size of this bill. We have already increased PILT by $43 million. I mean, when does this end?

Mr. TIAHRT. Reclaiming my time, Mr. Chairman, I believe that the concept is to not increase the amount of the bill but to rebalance it so that it is a more balanced bill that would take into consideration some of the needs of the people in the Western States, which I think is a fair debate for us to have on the floor. Some of these local communities have had very difficult times.

But in order to move the bill along, I will yield back the balance of my time so that we can get on with the other issues.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

I just want to say that I am certainly not in favor of, Mr. Chairman, increasing this bill any more. In fact, I think we really need to look at where it is at. At $27.6 billion in discretionary funding, that is $1.9 billion or 7.5 percent more than the President requested, and it is $1.2 billion over fiscal year 2007. So it is about, I guess, $700 million more than the President requested.

We have been on this floor, Mr. Chairman, and have heard the majority brag about how they were spending less than the President requested and that they had actually cut it and it wasn't as much as the President had requested.

Well, here is one that is more than the President requested. And it is adding money for the Climate Change Commission, the sense of Congress. We are looking at maybe not becoming dependent on our own oil supply and requiring and leaning more on the foreign oil supply.

So I hope that we would not look at this as, I guess, doing something that needs to be done. It is a process of spending more money.

If you look at the 302(b) allocations for fiscal year 2008, Mr. Chairman, $83 billion. And most Americans, including myself, don't really understand what $1 billion is. There are very few people in this country that are even worth $1 billion. This spends $83 billion more than the 2007 enacted budget levels.

I have heard the majority say, well, we have got this increase because these programs were starved to death during the last 6 years. They were just starved to death. Well, the reality is domestic discretionary spending has increased 40 percent since 2001.

Let me say this, and I spoke about it before in my last conversation, the process is broken and the product is flawed. Let's recognize that and don't pass another flawed product because the process is not breaking itself; we are breaking the process because we are the ones that the people elect to put in charge of the process to make it run correctly.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $295,937,000, to remain available until expended: *Provided*, That of the funds provided, $62,329,000 is for the forest inventory and analysis program.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BISHOP of Utah:

On page 67, line 8, insert after the dollar amount ''(increased by $13,000,000)''.

On page 96, line 14 insert after the dollar amount ''(decreased by $31,588,000)''.

Mr. DICKS. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. The point of order is reserved.

Mr. BISHOP of Utah. Mr. Chairman, to paraphrase the misquote of one of my heroes, Yogi Berra, this is ''deja vu all over again,'' this actually was the substance of an amendment that was offered earlier this morning. It was repealed because the numbers did not actually meet the necessities of some of our requirement. This now comes back to you with new numbers in there that I think will meet the necessity of the requirements for our accounting system that happens to be there.

We did, obviously this morning, talk about the extreme necessity of dealing with border security with our public land system. We talked a lot about immigration, but we don't also indicate how this plays a part with our public lands.

We talked about the 1,900 acres that was burned. We suspect it was coming from a campfire by illegals. The gentleman from Iowa has used some of my pictures to show the amount of trash that was left behind in this critical habitat area, once again by illegal immigrants. We have talked about areas in which it is unsafe. One-third of the national monument has been closed down because it is unsafe to go in there by the Park Service personnel without armed guards accompanying them.

In testimony given to the Appropriations Committee, I know last year and perhaps it was replicated again this year, there was a discussion about the national forest area along the 60 miles contiguous with the Mexican border known as the Coronado National Forest. Once again, it has 12 different mountain systems, 203 threatened and endangered and sensitive species, eight wilderness areas that are in this particular area, and they were literally begging for the resources sufficient to address the adverse impact due to illegal border traffic. That is what this amendment tries to do.

I appreciate earlier this morning the many comments, especially from the ranking member, of how significant this issue actually is. It is true we are moving money from a program, in this case, the National Endowment For the Arts, to border security. I would point out that we are not taking, as some amendments have and I am certainly not proposing that, all of the money from NEA to move into helping with border security. We are still leaving a $4 million increase above and beyond what was last year in the appropriated budget for the NEA. So we are trying to do that. Even though this program hasn't been reauthorized since 1992, we are still allowing that type of an increase.

But what our comment is basically saying is whenever we have these budgets, we have to make some kind of prioritization. And my contention is that the committee misprioritized when they put some money opposite others and that this has a higher and more significant need at this particular time.

Perhaps if we were starting over again, both these programs could be funded adequately. But at this stage of the game, there are only certain pots from which the money can be taken,

and I still think that this is the effective way of making sure there is still an increase, once again to a program that hasn't been reauthorized since 1992, and at the same time putting a significant amount of resources to our land managers who desperately need those resources to do their job in protecting our southern borders and protecting the land that we have set aside for its sensitive nature and its specific qualities. That has to be there.

With that, Mr. Chairman, that is the specific element of this particular amendment, to try to reprioritize to meet the needs of our southern border, which at this time, when we are talking about immigration, is such a significant issue.

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Mr. DICKS. Mr. Chairman, I withdraw my point of order, and I rise in opposition to the amendment.

The principal purpose of this amendment is to block the long overdue increase in funding for the National Endowment for the Arts provided in the bill.

The gentleman is correct that the bill reported by the committee provides $160 million for the NEA, an increase of $35 million over the 2007 enacted level. I am very proud of that increase, which I think is fully justified and broadly supported by Members of this body.

It is important for Members to realize, as they consider the committee's action, that the $160 million recommended only partially restores cuts made to this agency a decade ago. In fact, the amount in this bill is just $16 million below the level provided in 1993. After adjusting for inflation, the amount recommended is $100 million below the level in 1993 as displayed on the chart in front of the Members.

As we debate this amendment, Members should also note the National Endowment for the Arts has been transformed since the arts' funding debate of the 1990s. Two gifted chairmen have reinvigorated the NEA into an agency with broad support. Chairman Bill Ivy, appointed by Bill Clinton, negotiated, then implemented bipartisan reforms in NEA's grant structure to ensure that funds go to activities for which public funding is appropriate. Dana Gioia, the current chairman, then energized the agency with many new programs and a commitment to reach beyond the culture centers of our major cities.

Last year, every single congressional district received NEA support through innovative programs such as American Masterpieces, Operation Homecoming and the Big Read. Today, NEA is truly a national program with outreach efforts to every corner of America and every segment of our society.

Each of us has different reasons to support the arts. Some will describe their support in terms of the inherent joy of the arts as a personally enriching experience. Others support the arts as an engine of job development and economic growth. It is equally important to emphasize that here in the House we've had votes on this issue year after year after year. In fact, in the last 2 years, the votes on the Slaughter-Dicks amendment have been accepted on voice vote.

As far as I'm concerned, one of the things that I'm proudest of is the fact that we had a hearing this year and brought in artists from all across our country to testify about the arts and what it means not only in terms of educating our youth, but also what it means to the American people.

I'm always surprised that there are some on the other side of the aisle who always want to beat up on the National Endowment for the Arts. In fact, when Mr. REGULA was chairman of the committee, an outstanding chairman, he put into place some very significant reforms which I supported. And what we emphasized was quality, that we don't have enough money to fund every single project, that we must emphasize quality. And that's what Mr. Ivy has done; that's what Mr. Gioia has done. And I want you to know the endowment is thrilled about this increase. They think they can spend this money wisely and effectively.

I just urge the gentleman to reconsider his amendment. I wish he would withdraw it and recognize and join all of us who support the arts here in the United States. I'd like to see us have a bipartisan approval of this bill, and particularly this particular increase for the Endowment for the Arts. And we also increase funding for the National Endowment for the Humanities. The humanities are very important to our country as well.

So I urge that we oppose this amendment and keep moving along.

The Acting CHAIRMAN. Does any other Member wish to be heard regarding the amendment by the gentleman from Utah?

The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was rejected.

Mr. DICKS. Mr. Chairman, the gentlewoman from New York was on the floor asking for recognition.

Ms. SLAUGHTER. I move to strike the requisite words.

The Acting CHAIRMAN. The gentlewoman will suspend.

Mr. DICKS. I ask unanimous consent that the gentlelady be recognized.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Without objection, the voice vote is vacated.

There was no objection.

The Acting CHAIRMAN. The gentlewoman is recognized.

Mr. BISHOP of Utah. Mr. Chairman, I do have a request before you actually officially announce the voice vote. Does this UC prohibit me from making a request for a recorded vote?

The Acting CHAIRMAN. No. Another voice vote will be taken.

Mr. DICKS. Thank you. I appreciate the gentleman's courtesy.

Ms. SLAUGHTER. And so do I.

Mr. Chairman, I rise in strong opposition to the amendment that will strip $31.5 million for the National Endowment for the Arts.

Nearly 12 years ago, the Republicans slashed the 1988 budget nearly in half. In 1992, funding for the NEA reached an all-time high of $176 million. However, 4 years later, just 4 years later, they cut the funding to $99 million. Despite obstacles posed by a lack of adequate funding, the NEA persevered, and under the leadership of Chairman Gioia, instituted national programs to engage all Americans in the arts.

Recognizing its accomplishments, Congress began to support it once more and has approved funding increases by voice vote for the last 2 years. That support could not be more deserved, from Shakespeare in American communities to the NEA Jazz Masters, from American Masterpieces to the Big Read, the NEA has made art programs accessible to Americans in every congressional district.

Its programs enrich our culture by inspiring provocative community discussions and energizing the Nation's creative spirit. And every year, we hear more good news from the NEA.

Innovative programs are bringing arts to our schools, our community leaders and even our military bases, with Great American Voices, and are appreciated. This popular program has brought about 24 professional opera companies to 39 military bases across the country.

In 2004, the NEA initiated another program directed to military families called Operation Homecoming. It helped our troops and their families to write about their wartime experiences. The anthology of contributions was published by Random House in September 2006, and I encourage all of my colleagues to read it. The stories of patriotism and courage are truly inspiring.

What's more, the arts are improving our economy. This is terribly important. Americans for the Arts has just released a study on the economic impact of nonprofit art organizations. In 2002, the second Arts and Economic Impact Study told us that nonprofit arts organizations created $134 billion annually in economic activity. Just 5 years later, that number has gone up 24 percent to $166 billion. For the small investment we make, we bring back into the Federal Treasury $166 billion a year. That means that while they pump $63 billion into community economies, audiences are spending an additional $103 billion on local hotels, restaurants, parking, souvenirs, refreshments and other associated costs. And these numbers likely underestimate the total economic impact of the arts. New York City and Los Angeles were not even included so as to avoid skewing the national estimates.

So what do these figures mean for us? That $166 billion in economic activity

means $104.2 billion in resident economic income. It means $7.9 billion in local government tax revenues. It means $9.1 billion in State government tax revenues. It means $12.6 billion in Federal Government tax revenues, and 5.7 million full-time equivalent jobs.

To put that in perspective, over 1 percent of the American workforce is employed in an arts-related industry. That is a greater percentage than the number of Americans who are police officers, accountants, lawyers, firefighters, telemarketers, computer programmers, mail carriers or professional athletes. What community in America could afford to lose those jobs?

A generous estimate of the total Federal investment in the arts is $1.4 billion, yet we earn about $12.6 billion. That is a 12–1 return on the Federal investment. No place else, Mr. Chairman, do we see a return like that.

Simply put, in every way, investment in the arts is sound public policy. Cutting funding would ignore everything positive we know about it, and it is the wrong policy.

I want to thank Subcommittee Chairman DICKS and Ranking Member TIAHRT for funding the National Endowment of the Arts at a level that reflects its important role in fostering creativity and making art accessible to Americans.

Mr. Chairman, your leadership and enduring commitment to this issue has been instrumental in keeping arts part of our national priorities. Thank you, and I thank the staff.

Mr. SHAYS. I wonder if the gentlelady would yield?

Ms. SLAUGHTER. Of course I will yield.

Mr. SHAYS. Not to take another 5 minutes, the statistics that you present are what I would want to share. As cochair of the NEA, I want to say how proud I am to be able to vote for a budget that finally is beginning to pay attention to the arts.

The Acting CHAIRMAN. The time of the gentlewoman has expired.

Mr. DICKS. I ask unanimous consent that the gentlelady have 1 additional minute.

The Acting CHAIRMAN. The gentlewoman can have 1 additional minute or can conclude her time, and the gentleman from Connecticut can be recognized on his own time.

Ms. SLAUGHTER. Thank you very much for that. I won't take that much time.

The Acting CHAIRMAN. The time of the gentlewoman has expired.

Ms. SLAUGHTER. Already?

Mr. DICKS. Mr. Chairman, I just asked unanimous consent for the gentlelady to have 1 additional minute.

The Acting CHAIRMAN. And I stated that the gentlewoman could have 1 additional minute or could complete her time, and the gentleman from Connecticut should have his own time. I asked the gentlewoman from New York what is her preference.

Mr. DICKS. What's the difference? I'm the chairman of the committee. I can ask unanimous consent any time I want.

I ask unanimous consent for 1 additional minute for the gentlelady from New York.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Acting CHAIRMAN. The gentlewoman from New York is recognized.

Ms. SLAUGHTER. I thank everybody, but I certainly want to thank Mike Stevens and Pete Modaff for their work on the decade-long fight to restore funding for the NEA. I encourage my colleagues to support the progress we've made in restoring funding to the NEA.

Mr. DICKS. Will the gentlewoman yield?

Ms. SLAUGHTER. I will yield.

Mr. DICKS. I was somewhat mystified by the gentleman's amendment. He was talking about the border. As we understand it, the money for this amendment would go to Forest Service research, which is, as we understand it, $15.5 million over the old 2007 level, and $33 million over the President's level in our budget. We don't need any more money for the forest research. We've already very adequately and generously taken care of it.

I appreciate the gentlelady for yielding and for her great leadership over many years. I have always enjoyed being your partner on this important amendment, and now we're close to getting back to where we need to get.

Ms. SLAUGHTER. Thank you, Mr. DICKS. Thank you, Mr. SHAYS.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

Mr. DICKS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BOYDA of Kansas) having assumed the chair, (Mr. DAVIS of Alabama) Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2643, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. DICKS. Madam Speaker, I ask unanimous consent that, during further consideration of H.R. 2643 in the Committee of the Whole pursuant to House Resolution 514, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Ms. JACKSON-LEE of Texas regarding historic preservation;

An amendment by Mr. PEARCE striking language related to administrative cost sharing for certain activities performed by the Minerals Management Service;

An amendment by Mr. LAMBORN regarding funding for the National Endowment for the Arts;

An amendment by Mr. RAHALL to strike certain provisions relating to national wildfire refuge management of wild horses;

An amendment by Mr. KING of Iowa regarding funding for the U.S. Forest Service;

An amendment by Mr. NUNES regarding funding for the U.S. Forest Service;

An amendment by Mr. LOBIONDO regarding funding for the Agency for Toxic Substances and Disease Registry;

An amendment by Mr. ELLSWORTH regarding Smithsonian Institution salaries;

An amendment by Ms. GINNY BROWN-WAITE of Florida reducing funding for the National Endowment for the Arts;

An amendment by Mrs. MUSGRAVE reducing funds in the bill by 0.5 percent, which shall be debatable for 40 minutes;

An amendment by Mr. TOM DAVIS of Virginia striking language expressing the sense of Congress on global climate change;

An amendment by Mr. BARTON of Texas or Mr. SULLIVAN regarding global climate change;

An amendment by Ms. EDDIE BERNICE JOHNSON of Texas regarding Maximum Achievable Air Control Standards;

An amendment by Mr. ANDREWS or Mr. CHABOT regarding the Tongass National Forest;

An amendment by Mr. INSLEE or Mr. LOBIONDO regarding importation of polar bear parts;

An amendment by Mr. SALAZAR or Mr. UDALL of Colorado regarding oil and gas leasing on the Roan Plateau;

An amendment by Mr. UDALL of Colorado regarding oil shale leasing;

An amendment by Mr. UDALL of Colorado regarding RS 2477 road determinations;

An amendment by Mr. CONAWAY regarding use of reductions made

through amendment for deficit reduction;

An amendment by Mr. DEFAZIO or Mr. WALDEN of Oregon regarding Secure Rural Schools county payments;

An amendment by Mr. PEARCE prohibiting funds for the continued operation of the Mexican wolf program;

An amendment by Mr. PEARCE prohibiting funds for the expansion of the Mexican wolf program;

An amendment by Mr. DENT prohibiting funds for implementation or enforcement of certain provisions of the Indian Gaming Regulatory Act;

An amendment by Mr. KINGSTON prohibiting funds for contracts to entities that do not participate in a basic pilot program related to illegal immigration;

An amendment by Mr. UPTON regarding use of Energy Star certified light bulbs;

An amendment by Mr. GARRETT of New Jersey limiting the use of funds for international conferences;

An amendment by Mr. JORDAN of Ohio reducing funds in the bill by 4.3 percent, which shall be debatable for 40 minutes;

An amendment by Mr. PRICE of Georgia reducing funds in the bill by 1 percent, which shall be debatable for 40 minutes;

An amendment by Mr. GARY G. MILLER of California regarding funding for the San Gabriel watershed study;

An amendment by Mr. BISHOP of Utah limiting the use of funds for nonprofits which are a party to a lawsuit against certain Federal agencies;

An amendment by Mr. BISHOP of Utah limiting the use of funds for land condemnation actions;

An amendment by Mr. DOOLITTLE regarding funding for the Secure Rural Schools and Community Self-Determination Act;

An amendment by Mr. STUPAK regarding funding for the EPA Administrator's security detail;

An amendment by Mr. KING of Iowa prohibiting funds for certain EPA computer modeling activities;

An amendment by Mr. CANNON prohibiting funds for certain oil shale leasing activities in Utah and Wyoming;

An amendment by Mr. CANNON limiting the use of funds to implement restrictions on certain oil and gas leasing activities;

An amendment by Mr. HELLER of Nevada prohibiting funds in contravention of a court decision related to the Southern Utah Wilderness Alliance;

An amendment by Mr. HELLER of Nevada limiting the use of funds for certain Heritage Areas that do not contain private property provisions;

An amendment by Mr. FLAKE prohibiting funds for the Ohio Association of Professional Firefighters in Columbus, Ohio;

An amendment by Mr. FLAKE prohibiting funds for the W.A. Young and Sons Foundry in Greene County, Pennsylvania;

An amendment by Mr. FLAKE prohibiting funds for the Philadelphia Art Museum in Pennsylvania;

An amendment by Mr. FLAKE prohibiting funds for the Payne Gallery at Moravian College in Pennsylvania;

An amendment by Mr. FLAKE prohibiting funds for certain entities related to the Southwest Pennsylvania Industrial Heritage Route;

An amendment by Mr. HENSARLING limiting funds for the Clover Bend Historic site;

An amendment by Mr. HENSARLING limiting funds for the St. Joseph's College Theater;

An amendment by Mr. HENSARLING limiting funds for the Bremertown Public Library;

An amendment by Mr. HENSARLING limiting funds for the Maverick Concert Hall;

An amendment by Mr. CAMPBELL of California limiting funds for Wetzel County Courthouse;

An amendment by Mr. CAMPBELL of California limiting funds for equipment for anadromous fish research;

An amendment by Ms. JACKSON-LEE of Texas regarding urban forestry;

An amendment by Ms. JACKSON-LEE of Texas regarding Smithsonian Institution outreach;

An amendment by Mr. OBEY regarding earmarks;

An amendment or amendments by Mr. DICKS regarding funding levels; and

An amendment by Mr. FEENEY regarding competitive sourcing.

Each such amendment may be offered only by the Member named in this request or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Interior, Environment, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 514 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2643.

□ 1706

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. DAVIS of Alabama (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) had been postponed.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

The Clerk will read.

The Clerk read as follows:

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $280,602,000, to remain available until expended, as authorized by law; of which $8,000,000 is for the International Program; and of which $56,336,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,506,502,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601–6a(i)): *Provided,* That unobligated balances under this heading available at the start of fiscal year 2008 shall be displayed by budget line item in the fiscal year 2009 budget justification.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $480,197,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities, and infrastructure; and for construction, capital improvement, decommissioning, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205; and in addition $40,000,000 to be transferred from the timber roads purchaser election fund and merged with this account, to remain available until expended: *Provided,* That $65,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered or sensitive species or community water sources and for urgently needed road repairs required due to recent storm events: *Provided further,* That up to $65,000,000 of the funds

provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further,* That the decommissioning of unauthorized roads not part of the official transportation system shall be expedited in response to threats to public safety, water quality, or natural resources: *Provided further,* That funds becoming available in fiscal year 2008 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $44,485,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,053,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended. (16 U.S.C. 4601–516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and 78–310.)

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $56,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,053,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,974,648,000, to remain available until expended: *Provided,* That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further,* That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further,* That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2007 shall be transferred to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.) if necessary to reimburse the fund for unpaid past advances: *Provided further,* That, notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further,* That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further,* That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further,* That of the funds provided, $310,258,000 is for hazardous fuels reduction activities, $18,000,000 is for rehabilitation and restoration, $23,500,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $46,221,000 is for State fire assistance, $10,000,000 is for volunteer fire assistance, $14,252,000 is for forest health activities on Federal lands and $10,014,000 is for forest health activities on State and private lands: *Provided further,* That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, joint fire sciences, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further,* That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in the report accompanying this Act: *Provided further,* That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further,* That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriation, up to $10,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: *Provided further,* That included in funding for hazardous fuel reduction is $5,000,000 for implementing the Community Forest Restoration Act, Public Law 106–393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: *Provided further,* That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further,* That of the funds provided for hazardous fuels reduction, not to exceed $7,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands: *Provided further,* That funds designated for wildfire suppression shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon notification of the House and Senate Committees on Appropriations and if and only if all previously appropriated emergency contingent funds under the heading ''Wildland Fire Management'' have been released by the President and apportioned and all wildfire suppression funds under the heading ''Wildland Fire Management'' are obligated.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture

Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $73,285,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $24,021,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center.

Funds available to the Forest Service shall be available to conduct a program of not less than $5,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps or the Public Lands Corps (Public Law 109–154).

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $100,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

□ 1715

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the distinguished gentlewoman from Kansas (Mrs. BOYDA).

Mrs. BOYDA of Kansas. Mr. Chairman, I would like to enter into a colloquy with my colleague from Kansas, Ranking Member TIAHRT, and Chairman DICKS.

Mr. Chairman, I would like to bring to light an issue of great importance to southeast Kansas, and I think we have a visual down here that we can point to in a minute.

Treece, Kansas, is a small town of about 150 people. It is part of the Tri-State mining district of southwest Missouri, southeast Kansas and northwest Oklahoma, producing lead, zinc and coal. Much of the lead and zinc that was used in ammunition and equipment to win World War II came from this area. However, this mining has led to incredible environmental problems, to include significant subsidence and health problems from chat piles, otherwise known as mining waste. The photograph that we have here on the easel, those are the chat piles we are talking about.

This problem has been under study for years. In 2004, Senator INHOFE from Oklahoma arranged for the Army Corps of Engineers to conduct a subsidence risk study for northern Oklahoma towns similar to Treece. The results of this study lead to a voluntary buyout program allowing Picher, Oklahoma, residents to move.

The Kansas Geological Survey did a stability study and hazard evaluation of southeast Kansas mining areas in 1983. The report indicated that Treece is ''located within the Picher field and is surrounded on all sides by abandoned mine workings and is extensively undermined.''

In a letter to me dated March 30 of this year from the EPA in D.C., they note that, ''The Treece sub-site is part of the former Picher mining field centered near the town of Picher, Oklahoma.'' In fact, Treece was originally platted as part of Picher, Oklahoma. It sits right on the Kansas-Oklahoma border and is separated from the town of Picher only by a political boundary. Treece receives its electricity and emergency services from Picher, Oklahoma.

The geology of Treece and mining techniques that were used are the same as in Picher. In fact, and this is the point I would like to make, Treece, Kansas, and Picher, Oklahoma, are in fact the same minefield.

Mr. Chairman, I would like to make two points: First, if we must, we will ask the Army Corps of Engineers to conduct a study similar to the one done in Picher. But we should not have to. The Treece community should be treated the same as Picher.

Second, while Treece is designated as part of the EPA Superfund site, EPA has yet to approve a request for funding that would remove the chat from Treece and other sites along the Kansas-Oklahoma border. This requested funding would allow removal of this dangerous material over a 10-year period.

Addressing both of these issues for the good people of Treece, Kansas, is long overdue, and we certainly appreciate this committee's attention.

Mr. TIAHRT. Mr. Chairman, if the gentleman from Washington will yield, I thank the gentlewoman from Kansas for bringing this to the attention of the House. This is a very important issue.

The community of Treece has been trying to bring this issue to resolution for years. In fact, it was over a decade ago when it first came to my attention, and I had a staff member working on it for some time. I am pleased that the gentlewoman is carrying on the work of her predecessor, Congressman Jim Ryun, and other Kansas officials. Earlier this year, State Representative Gatewood came to my office and asked for some help with the Office of Surface Mining, and we still have the request pending from them as well.

According to the estimates for the State of Kansas, it will cost approximately $8 million to conduct a buyout program, which is not a lot of money in the scheme of things. While we understand that the bill which we are debating today cannot address the buyout program, we both hope that the EPA will speed its approval of the funding to remove the chat and hope that other Federal resources will come to bear to help the people of Treece find relief through a similar buyout program.

I am also hopeful that the OSM and the Army Corps of Engineers will also help the residents in their struggle to improve their communities.

Mr. DICKS. Mr. Chairman, reclaiming my time, I want to thank my colleague from Kansas for working on this issue. I understand Treece's frustration and look forward to working with you to see what the agencies within our subcommittee's jurisdiction can do to help. We appreciate your bringing this to our attention.

Mrs. BOYDA of Kansas. Mr. Chairman, I would say thank you to both of the gentlemen. The good people of Treece are very deeply appreciative.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

An eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $45,000,000, shall be assessed for the

purpose of performing facilities maintenance. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $3,023,532,000, to remain available until September 30, 2009, except as otherwise provided herein, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That up to $18,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That not less than $561,515,000 shall be for contract medical care: *Provided further*, That of the funds provided, up to $32,000,000, to remain available until expended, shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613), shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $274,638,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2008, of which not to exceed $5,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service and tribes and tribal organizations operating health facilities pursuant to Public Law 93–638 such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $360,895,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of a federally-recognized Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: *Provided further*, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $1,000,000 from this account and the ''Indian Health Services'' account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $79,117,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $75,212,000, of which up to $1,500,000, to remain available until expended, is for Individual Learning Accounts for full-time equivalent employees of the Agency for Toxic Substances and Disease Registry: *Provided,* That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further,* That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA.

AMENDMENT NO. 24 OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. LOBIONDO:

Page 89, line 13, after the first dollar amount, insert ''(increased by $1,000,000) (reduced by $1,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. LOBIONDO) and a Member opposed each will control 5 minutes.

Mr. DICKS. Mr. Chairman, I reserve a point of order against this amendment.

The Acting CHAIRMAN. The gentleman from Washington reserves a point of order.

The Chair recognizes the gentleman from New Jersey.

Mr. LOBIONDO. Mr. Chairman, I rise today to strongly support this amendment. This amendment would simply put in $1 million and then take back out $1 million for the purpose of directing the administrator of the Agency for Toxic Substance and Disease Research to use these funds to conduct initial long-term testing of children exposed to mercury from mercury-contaminated industrial sites.

Last July, I learned that a daycare center in my district had been opened mistakenly on a site that was previously used by a thermometer manufacturer. The manufacturer had a history of mercury contamination and had not properly cleaned up the site.

The mercury contamination of this site was so egregious that parents spoke of their children coming home from the daycare center with bubbles of mercury clinging to their backpacks. As a result of this, the children who innocently played on the grounds of the daycare center were diagnosed with mercury levels much higher than normal and suffered symptoms of mercury poisoning, such as headaches, sleeping problems and rashes.

As you may know, mercury is a potent neurotoxin that can affect the nervous system.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, I am prepared to accept the amendment. We want to work with the gentleman on this a little bit to improve it as we get to conference. But we are prepared to accept it.

Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN. The gentleman's point of order is withdrawn.

Mr. TIAHRT. Mr. Chairman, if the gentleman will yield, I want to thank the gentleman from New Jersey for taking an issue that is so important to his district and really important to the kids in that area that have been exposed to mercury and would join with the chairman in supporting your amendment.

Mr. LOBIONDO. Mr. Chairman, reclaiming my time, I thank the chairman and Mr. TIAHRT.

I would just like to point out that this incident demonstrated that children can, unfortunately, be exposed to mercury from contaminated industrial sites. The amendment will help ensure that funding will be available for any Member in any district that this may take place.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $2,703,000: *Provided,* That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $9,549,000: *Provided,* That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions: *Provided further,* that notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further,* That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $9,000,000, to remain available until expended: *Provided,* That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further,* That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further,* That no relocatee will be provided with more than one new or replacement home: *Provided further,* That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $7,297,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $536,295,000, of which $1,578,000 for fellowships and scholarly awards shall remain available until September 30, 2009, including such funds as may be necessary to support American overseas research centers: *Provided,* That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $116,100,000, to remain available until expended, of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $101,850,000, of which not to exceed $3,239,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $18,017,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $20,200,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $23,150,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,000,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $160,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended: *Provided,* That funds appropriated herein shall be expended in accordance with sections 309 and 311 of Public Law 108–447.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $145,500,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $14,500,000, to remain available until expended, of which $9,500,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided,* That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further,* That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further,* That the Chairperson of the National Endowment for the Arts may approve grants up to $10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant-making purposes per year: *Provided further,* That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson: *Provided further,* That section 309(1) of division E, Public Law 108–447, is amended by inserting ''National Opera Fellowship,'' after ''National Heritage Fellowship''.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $2,092,000: *Provided,* That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), as amended, $10,000,000: *Provided,* That no organization shall receive a grant in excess of $650,000 in a single year.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $5,348,000: *Provided,* That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $8,265,000: *Provided,* That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $44,996,000, of which $515,000 for the equipment replacement program shall remain available until September 30, 2009; and $1,900,000 for the museum's repair and rehabilitation program and $1,264,000 for the museum's exhibition design and production program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $22,400,000 shall be available to the Presidio Trust, to remain available until expended.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the White House Commission on the National Moment of Remembrance, $200,000, which shall be transferred to the Department of Veterans Affairs, ''Departmental Administration, General Operating Expenses'' account and be administered by the Secretary of Veterans Affairs.

TITLE IV—GENERAL PROVISIONS

SEC. 401. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 404. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal

cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 405. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects, activities and subactivities to support government-wide, departmental, agency or bureau administrative functions or headquarters, regional or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer provided in, this Act or any other Act.

SEC. 407. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2005.

SEC. 408. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2008, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 409. Notwithstanding any other provision of law, amounts appropriated in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, 108–108, 108–447, 109–54, 109–289, division B and Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Law 110–5) for payments for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2007 for such purposes, except that the Bureau of Indian Affairs and federally-recognized tribes may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 410. Prior to October 1, 2008, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided,* That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 411. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 412. In entering into agreements with foreign countries pursuant to the Wildfire Suppression Assistance Act (42 U.S.C. 1856m) the Secretary of Agriculture and the Secretary of the Interior are authorized to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the country receiving said services when the individuals are engaged in fire suppression: *Provided,* That the Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign country (either directly or through its fire organization) agrees to assume any and all liability for the acts or omissions of American firefighters engaged in firefighting in a foreign country: *Provided further,* That when an agreement is reached for furnishing fire fighting services, the only remedies for acts or omissions committed while fighting fires shall be those provided under the laws of the host country, and those remedies shall be the exclusive remedies for any claim arising out of fighting fires in a foreign country: *Provided further,* That neither the sending country nor any legal organization associated with the firefighter shall be subject to any legal action whatsoever pertaining to or arising out of the firefighter's role in fire suppression.

SEC. 413. In awarding a Federal contract with funds made available by this Act, notwithstanding Federal Government procurement and contracting laws, the Secretary of Agriculture and the Secretary of the Interior (the ''Secretaries'') may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities: *Provided,* That notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or micro-business or disadvantaged business: *Provided further,* That the contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management: *Provided further,* That the terms ''rural community'' and ''economically disadvantaged'' shall have the same meanings as in section 2374 of Public Law 101–624: *Provided further,* That the Secretaries shall develop guidance to implement this section: *Provided further,* That nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 414. (a) LIMITATION ON COMPETITIVE SOURCING STUDIES.—

(1) Of the funds made available by this or any other Act to the Department of the Interior for fiscal year 2008, not more than $3,450,000 may be used by the Secretary of the Interior to initiate or continue competitive sourcing studies in fiscal year 2008 for programs, projects, and activities for which funds are appropriated by this Act.

(2) None of the funds available to the Forest Service may be used in fiscal year 2008 for competitive sourcing studies and related activities.

(b) COMPETITIVE SOURCING STUDY DEFINED.—In this section, the term ''competitive sourcing study'' means a study on subjecting work performed by Federal Government employees or private contractors to public-private competition or on converting the Federal Government employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

(c) In preparing any reports to the Committees on Appropriations on competitive sourcing activities, agencies funded in this Act shall include the incremental cost directly attributable to conducting the competitive sourcing competitions, including costs attributable to paying outside consultants and contractors and, in accordance with full cost accounting principles, all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing, including personnel, consultant, travel, and training costs associated with program management.

(d) In carrying out any competitive sourcing study involving Department of the Interior employees, the Secretary of the Interior shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration the effect that contracting with a private sector source would have on the ability of the Department of the Interior to effectively and efficiently fight and manage wildfires.

SEC. 415. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000, regarding the pilot program to enhance Forest Service administration of rights-of-way (as enacted into law by section 1000(a)(3) of Public Law 106–113; 113 Stat. 1501A–196; 16 U.S.C. 497 note), as amended, is amended—

(1) in subsection (a) by striking ''2006'' and inserting ''2012''; and

(2) in subsection (b) by striking ''2006'' and inserting ''2012''.

SEC. 416. Section 321 of the Department of the Interior and Related Agencies Appropriations Act, 2003, regarding Forest Service cooperative agreements with third parties that are of mutually significant benefit (division F of Public Law 108–7; 117 Stat. 274; 16 U.S.C. 565a–1 note) is amended by striking ''September 30, 2007'' and inserting ''September 30, 2010''.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentlewoman from New Hampshire (Ms. SHEA-PORTER) for a colloquy.

Ms. SHEA-PORTER. Mr. Chairman, I would like to thank you for your leadership on this bill, in particular for your strong support of increased funding for the National Wildlife Refuge System which protects our valuable natural resources and wildlife and maintains more than 96 million acres of land across the country.

I also want to thank ranking member Tiahrt and the entire Interior and Environment Subcommittee for their tireless work on this bill and, importantly, for including language and funding to help address some of the most pressing problems facing our National Wildlife Refuge System.

Mr. Chairman, the staffing shortages plaguing our wildlife refuges have been brought on by years of underfunding and a lack of commitment to ensuring that these pristine lands are kept safe, secure and properly maintained. The language included in the bill before us is a big step in the right direction, but I think you would agree it is only a first step.

We will need to do more if we want to alleviate the strain put on our refuges, like the Great Bay Wildlife Refuge along the eastern shore of New Hampshire. Great Bay protects a number of both Federal- and State-protected species, including the symbol of our American freedom, the Bald Eagle. However, funding shortages have caused the refuge system to severely cut back on staff at Great Bay over the past few years.

□ 1730

What once was a staff of four has been reduced to one, and now the refuge system has announced that they will be eliminating that position as early as next month. This will leave a major wildlife refuge with no full-time staff and totally unprotected for the large majority of the time. With over 60,000 visitors a year, this lack of staffing could pose a serious threat to the wildlife and ecosystem protected in Great Bay.

Mr. Chairman, I understand that there is strong language in your bill regarding the staffing shortages at refuges across the country. May I clarify that the increased funding provided to the wildlife refuge system through the operations and management accounts is meant to help the system address these shortfalls and ensure that staff is placed where needed to protect these environments?

Mr. DICKS. Yes, that is correct. As written in the committee record, the committee believes it is important to address the shortfalls in staffing around the Nation, and we have provided the largest operational increase in the history of the refuge system to do so.

We have also included language directing consideration to those areas, like Great Bay, that have pressing shortfalls and needs.

Ms. SHEA-PORTER. Thank you, Mr. Chairman. The committee has also included language addressing the problem of complexes. Would the chairman clarify the committee intent to reduce the number of complexes where refuges are consolidated into groups with staff overseeing multiple sites, sometimes with great distances between them?

Mr. DICKS. That is also correct. The committee includes language in our report directing the system to reduce the number of complexes. The increased funding is to be used to address staffing shortfalls, and the committee does not view the use of complexes as a sufficient means for managing refuges.

These complexes move the staff too far from the communities and resources that they serve, and we have asked that the number of complexes be reduced to the maximum extent possible.

Ms. SHEA-PORTER. I thank the chairman, and I appreciate his strong position on protecting these national treasures.

Mr. DICKS. Thank you for your good work on this. Protecting our national wildlife refuges was one of our major priorities in the subcommittee. We are pleased to have your support for the bill and this effort.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V—GLOBAL CLIMATE CHANGE

SEC. 501. (a) The Congress finds that—

(1) greenhouse gases accumulating in the atmosphere are causing average temperatures to rise at a rate outside the range of natural variability and are posing a substantial risk of rising sea-levels, altered patterns of atmospheric and oceanic circulation, and increased frequency and severity of floods, droughts, and wildfires;

(2) there is a growing scientific consensus that human activity is a substantial cause of greenhouse gas accumulation in the atmosphere; and

(3) mandatory steps will be required to slow or stop the growth of greenhouse gas emissions into the atmosphere.

(b) It is the sense of the Congress that there should be enacted a comprehensive and effective national program of mandatory, market-based limits and incentives on emissions of greenhouse gases that slow, stop, and reverse the growth of such emissions at a rate and in a manner that (1) will not significantly harm the United States economy; and (2) will encourage comparable action by other nations that are major trading partners and key contributors to global emissions.

AMENDMENT OFFERED BY MR. SULLIVAN

Mr. SULLIVAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SULLIVAN:

Page 110, begining on line 20, strike section 501 and insert the following:

SEC. 501. It is the sense of the Congress that no Federally-mandated steps should be taken to mitigate global climate change if those steps would harm American consumers, workers, or businesses in any way.

Mr. DICKS. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman from Washington reserves a point of order against the amendment.

Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. SULLIVAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. SULLIVAN. Mr. Chairman, this is a very important amendment. Any thoughtful legislation must ensure four things: That the lights stay on, that driving a car stays affordable, energy prices stay competitive, and that we protect people's jobs. If we think that we can achieve these goals without a continuing role for domestic fossil fuels, we're kidding ourselves.

We are addressing global warming, but we are not doing it in a vacuum. We are also charged with making sure that people in America have energy that power our jobs, and through them, our people's opportunity to succeed. If we do our jobs, people will keep their jobs.

I accept that the science on this matter is uneven, uncertain and evolving. That certainty hasn't changed, but now we seem to be pressuring ourselves, or someone is pressuring us, to legislate first and get the facts later. I hope we don't do that. I want to make sure that we get the best information available so we have a full and accurate definition of the problem before we start making decisions.

We have to be clear about the issues before us. Discussion of mandatory steps to cap CO_2 often misses the essential fact. Carbon dioxide, unlike carbon monoxide, and other compounds ending in ''oxide'' is not toxic. It is not a pollutant. Not only is it natural, it is indispensable for life on this planet.

What we need to understand is how does CO_2 fit into the atmospheric mix? I am told all CO_2 is only 0.038 percent of the atmospheric gases.

How does the CO_2 from fossil fuel combustion fit into the total annual CO_2 increase in the atmosphere? I am told it is only 0.4 percent of this amount.

How does U.S. fossil fuel consumption fit into mankind's overall share of fossil fuel energy use? I am told it is 22 percent and shrinking. That means if we shut down 100 percent of all fossil fuels in the United States, we would

only reduce CO_2 growth in the atmosphere by 0.088 percent. That is 0.0003 percent of atmospheric gases, and China will be filling in the gap and then some.

How much will any legislation we consider actually change the total U.S. emissions and, in turn, change total human emissions and, in turn, affect global greenhouse gas concentrations?

What will it cost? The people who will pay for our policy decisions are taxpayers and consumers and workers. What amount is the right amount to take from them and their families for our policies?

And we need to understand whether well-meaning steps to cap CO_2 here and now will simply drive industry offshore where control of actual pollution such SO_X, NO_X, mercury and particulate is far more lax.

Whether we like it or not, CO_2 correlates to national economic activity. That means jobs and the ability of working families to thrive is defined by jobs. Despite impressive gains in energy intensity over the past few years, a basic reality is that with the technology mix deployed today, to cap CO_2 emissions constraints economic output, jeopardizes economic growth, and eliminates people's jobs.

It is imperative that we reach rational conclusions, based on real evidence, about the reliability of our knowledge that CO_2 has the sort of impact on planetary temperature as people say.

At an Energy and Commerce hearing earlier this year, we learned that a cap-and-trade program added 40 percent to the wholesale cost of electricity in Germany. A cap-and-trade program could lead to real rate shock for electric consumers. High electricity costs will only drive manufacturers overseas, and American jobs will go along with them.

This cap-and-trade approach has been proven unworkable in countries that signed the Kyoto Protocol, and it would be unworkable in the United States. Few participants in the protocol are on track to achieve the international targets for carbon emissions reduction. An increasing number of the countries are unwilling to strangle economic growth through stricter carbon caps in the future.

Another fundamental flaw with the Kyoto agreement is the exclusion of India and China from its reach, particularly when China is soon to claim the distinction of being the largest emitter of carbon dioxide in the world.

The United States cap-and-trade program would fall the same failed trajectory as Kyoto. Its artificially high energy costs would cripple the United States manufacturing base and suppress job creation for working American families. And that's not all. Two of our greatest economic competitors in the world market, India and China, won't have to cap emissions and pay a premium for energy. Those two countries will laugh all of the way to the bank, and the joke will be on us. They will use it as an economic weapon.

What is very important when we look at this very important matter, we need to take our time, we need to gather the facts, and we need to educate other Members. The decisions we make will impact Americans for a long time in the future.

POINT OF ORDER

The Acting CHAIRMAN. Does the gentleman from Washington wish to be heard on his point of order?

Mr. DICKS. Mr. Chairman, I insist on my point of order.

The Acting CHAIRMAN. The gentleman from Washington is recognized on his point of order.

Mr. DICKS. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill; and, therefore, violates clause 2 of rule XXI.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. TIAHRT. Mr. Chairman, I think to strike this because it authorizes on an appropriations bill would be duplicative of what the current language does. It also authorizes on an appropriations bill, so I think the amendment should be made in order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule on the point of order.

The amendment proposes additional legislation to that permitted to remain in section 501 by addressing efforts to mitigate climate change beyond those contained in that section. Such additional legislation violates clause 2 of rule XXI.

The point of order is sustained.

AMENDMENT OFFERED BY MR. BARTON OF TEXAS

Mr. BARTON of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BARTON of Texas:

Strike section 501 (relating to global climate change).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, it is ironic that we just had that point of order offered by my good friend, Mr. DICKS. Under the Armey rule, the former majority leader, the chairmen of the authorizing committees could send letters to the Rules Committee on appropriation bills and any part of the appropriation bill that was actually legislating on an appropriation bill, there was a standing point of order made in order that you could strike it.

So we wouldn't have had the Sullivan amendment and we would not have the amendment that I am about to offer if the current chairman of the Energy and Commerce Committee, Mr. DINGELL, had sent such a letter to the Rules Committee asking to reserve the point of order on this section 501. But Chairman DINGELL didn't do that, and so it is in the bill and Mr. DICKS can make a point of order that an amendment to it should be struck because it is legislating on an appropriation bill. What a great place this body is that we work in.

So what my amendment does is pretty straightforward. It strikes section 501. That cannot be ruled out of order. It can be voted down, and we will have a vote on this. But the Davis amendment that I am offering on his behalf can't be struck on a point of order.

What is it about this section 501 that is so onerous? Let me briefly synthesize what it says. I think it says some things that are factually incorrect.

It says that the Congress finds that greenhouse gases accumulating in the atmosphere are causing average temperatures to rise at a rate outside the range of natural variability. I think that a factually incorrect statement. It is a true statement that the temperature apparently is rising compared to what it was 150 years ago. In the late 1840s and early 1850s, temperature averages at most places that kept temperature records at that time were 1 to 2 degrees cooler than they are now. And the temperature appears to be going up. That is a true statement.

But I don't think that it is true that the temperature rate increase is outside the range of natural variability. The one thing about climate that is constant is that it is constantly changing.

The second incorrect statement is subparagraph 2 where it says there is a growing scientific consensus that human activity is a substantial cause of greenhouse gas accumulation.

Now I think it is indisputable that as we burn many of the hydrocarbons, obviously they are releasing CO_2 which is a greenhouse gas and that is accumulating in the atmosphere. That is a true statement. But whether that is a substantial cause is yet to be determined.

I would point out that the largest greenhouse gas by far is H_2O, water vapor. When you see a cloud in the sky, you are seeing a greenhouse gas accumulation in the sky. And water vapor is over 90 percent of all greenhouse gases. CO_2, carbon dioxide, is less than $\frac{3}{10}$ of 1 percent. So how could something that is such a small percentage be the cause of this temperature increase? It is an interesting theory, but it is yet to be proven.

In any event, because of these first two paragraphs, we get to the meat of the issue in section 501, and that is mandatory steps are required to slow or stop the growth of greenhouse gas emissions. Mandatory. Coercive. You have to do it whether you want to or not. You have to do it whether it makes sense or not.

We are far from a place, in my opinion, where we need to begin to legislate mandatory approaches, and that's what is so bad about this section 501. Now you may argue it is a sense of the Congress what is it going to do. It is just to show where we are. Well, I would point out that in the late 1970s, early 1980s, you begin to have these temporary 1-year moratoriums on drilling off the coast of various parts of our country. They seemed relatively harmless at the time. What could be wrong with that?

□ 1745

That has grown into such a significant part that it's almost impossible right now to drill anywhere in the United States that we haven't already been drilling for the last hundred years. There's a limit to how many holes we can drill in Texas. We've drilled over 2 million since 1901. We've found a lot of oil and gas, but at some point in time, we've got to drill where we haven't drilled before. In any event, section 501 is bad public policy and this amendment would strike it.

Mr. DICKS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIRMAN (Mr. BECERRA). The gentleman is recognized for 5 minutes.

Mr. DICKS. Thank you. I appreciate that.

The language in title V of this bill is identical to language added by the Appropriations Committee last year to the FY 2007 Interior bill when the Appropriations Committee was being run by the minority party of today. Since that time, this sense of the Congress has been supported by both an international scientific body and the United States Supreme Court.

First, the sense of Congress states that ''there is a growing scientific consensus that human activity is a substantial cause of greenhouse gas accumulation in the atmosphere.'' So far this year, the Intergovernmental Panel on Climate Change, a group consisting of hundreds of scientists from 113 countries, has issued two reports on the science of climate change, with a third report to be issued later this year. The panel's first report, issued in February, concluded that there is an overwhelming probability, at least 90 percent certainty, that human activities are warming the planet at a dangerous rate, with consequences that could take decades or centuries to reverse. The panel's second report on the consequences of global warming concluded ''with high confidence'' that greenhouse gases produced by human activity has already triggered changes in ecosystems on both land and sea. As evidence, the report cited longer growing seasons, earlier leaf-unfolding and earlier egg-laying by birds, traceable to human activity. The report estimates that 20 to 30 percent of the world's species could be in danger of extinction.

I have great respect for the gentleman from Texas, who I think did a good job as chairman of the Commerce Committee, but this is a sense of Congress. It's the authorizing committees that will enact the legislation. What this does is express concern that this problem must be addressed.

Clearly, the sense of Congress correctly captures the state of global change science.

Second, the sense of Congress states that mandatory steps will be required to slow or stop the growth of greenhouse gas emissions into the atmosphere. In April of this year, the United States Supreme Court ruled in a 5–4 opinion that the U.S. Environmental Protection Agency has the statutory authority to regulate greenhouse gases from automobiles. The court also held that EPA has the discretion not to regulate only under very limited scenarios. This decision has been widely interpreted to force the administration to propose regulations to control greenhouse gas emissions. Clearly, the Supreme Court agrees with what I would consider our sense of Congress resolution.

Again, I state my opposition to the gentleman's amendment and urge a ''no'' vote on the amendment.

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

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. TIAHRT. I just wanted to mention to the chairman and to the House that even though this is a sense of Congress, I think that it is opposed enough in the way it is worded that the amendment should be agreed to and the language should be stricken. For example, in the very beginning, where, number one, it says, ''greenhouse gases accumulating in the atmosphere are causing average temperatures to rise at a rate outside the range of natural variability,'' we had a lot of testimony in this Subcommittee of Interior about this very issue. It was very clear that the scientists that study this say that we have large gaps in the scientific data, and it is still inconclusive.

One of the great examples of this is the ocean itself. The ocean itself is a carbon bank. It retains carbon sometimes. When it gets warmer, it actually allows carbon to go up into the atmosphere in the form of CO_2. That in itself brings the question whether carbon in our atmosphere is a cause of heat or whether heat is a cause of carbon in the air. If you look at the core samples that are found in the Antarctic which have been drilled down to go back and date what our environment was like hundreds of thousands of years ago, we find that there is a high carbon content in our atmosphere when our earth was warmer. And we do know that our earth is getting warmer. In fact, 10,000 years ago, Kansas was covered by a sheet of ice.

Just a weekend ago or so, I was back there playing golf, and I can tell you for sure, there is no ice covering the State of Kansas today. Why? Because the earth is getting warmer. But for us to say that the cause is human-induced raises the question. Even the Intergovernmental Panel on Climate Change when they looked at it this year, revised their estimate of the ocean going up because of climate change, from going up to 36 inches. They revised it downward to only going up 17 inches. So that means that they were half off.

They said that, as far as climate change, it's human-induced, and they have a 90 percent confidence level. Well, if that's based on their estimate of what the water level is going to be 10 years or 50 years from now, then they are admittedly 50 percent off, so that means they've only got a 45 percent confidence level. That means less than half.

My point is that there is no growing scientific consensus on the cause of climate change. In fact, it may be a normal cycle that we're going through. And, in fact, it may be a cycle that is moving us into a cooler climate rather than a warmer climate. So this language, I think, makes assumptions that are based on data that is inconclusive. The scientists tell us there are gaps in the data. It certainly isn't a consensus of Congress from my view. So I would think that we should adopt the gentleman's amendment.

I would yield to the gentleman from Texas.

Mr. BARTON of Texas. I thank the gentleman for yielding.

I just want to comment briefly on what Chairman DICKS said about this being in the bill last year. He is factually correct. We reserved a point of order on it last year. And the member of the committee that I chaired at the time who was supposed to make the point of order was caught in the cloakroom eating a candy bar, and the crafty appropriators closed the title before we could make the point of order. So it was in the bill last year only because we were asleep at the switch when it was our turn to raise the point of order. At least I'm not asleep at the switch this year.

Mr. DICKS. I would hope we're not asleep at the switch again, as the planet is heating up, and climate change is occurring.

Mr. TIAHRT. I agree that the temperature is going up. It's the cause that is a concern for me. The wording here says that we already know what the cause is and we should move forward and try to do something to stop it, and that includes some very drastic types of actions, including caps and market-based limits on incentives, mandatory market-based limits, I might say. It's my view that those things have not been successful in the past. In fact, when we did mandatory limits, I thought we ended up with gas lines and higher gas prices. That's my view.

I would ask that my colleagues here in the House accept this amendment and vote for it.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. BARTON of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BISHOP of Utah:

At the end of the bill, before the long title, add the following new section:

''SEC. ____. No funds made available by this Act shall be used to condemn land.''

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, in my short time as the ranking member on the Subcommittee on National Parks, Forests and Public Lands, I have already heard a number of stories from property owners who have been threatened or bullied with the hammer of eminent domain. Thousands of acres each year are taken from private citizens and against their will in order to expand our national parks and our national forests. This is done in spite of the fact that the Federal Government has so much land it cannot possibly manage what it already has.

Landowners, when faced with the possibility of a long, protracted war against bureaucrats, land managers and legions of Federal lawyers, often choose simply to walk away. What is most outrageous then is the fact that these people are then labeled by us as willing sellers.

This has happened to landowners across our Nation. We've had examples from people living near the Everglades in Florida, to the Cape Cod National Seashore in Massachusetts, to Voyageurs National Park in Minnesota, just a few places where there has been, in my estimation, egregious abuse by the Federal Government.

I have letters from a family in Maine who endured 20 years in a battle with the Federal Government. They wrote that the negotiations between my family and the Park Service over what could have been a simple land donation exceeded 20 years and had a serious, long-term detrimental effect on my family, the ski area they owned, the surrounding community. Eventually, after millions of dollars were lost and countless hours of time from high-ranking State and Federal officials were consumed, strained professional careers of an entire at-risk community and the negative health and financial repercussions of my family members, this issue was finally resolved. For now.

Here is another example of a Franciscan friar who talked about the threats of eminent domain that hanged over his ministry for years and years and years. In his words, again, simply over 118 acres of the friar's property: We offered the National Park Service the opportunity to switch back the trail to the original setting, so that not only the trail could be maintained, but there would be a natural environment for it. But the National Park Service refused this option and threatened to proceed with eminent domain. There is no reason that that friar and his ministry should have had that hanging over his head for years and years and years.

Mr. Chairman, the Secretary of Interior has the power in statute for using this hammer of eminent domain. Even today, when we do authorization bills, we don't even have the sense to try and limit that kind of authority or power. Even in those situations where it is clearly said in the testimony and in the hearings that they do not want to use eminent domain, we do nothing to try and stop that potential authority. If we really say that we don't want to use eminent domain to acquire these lands, we ought as well use the logical step of saying so.

In light of the Kelo decision, so many people are now aware of the potential abuse by government entities on private property through the use of eminent domain, now is the time for us clearly to say that private property is important, and it should be respected by the Federal Government. That's exactly what this amendment tries to do, is to clarify that we do respect private property; we respect it, and we will not use eminent domain to take land away from private citizens.

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

Mr. DICKS. Mr. Chairman, I withdraw my point of order.

We will accept the gentleman's amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

Mr. BISHOP of Utah. Mr. Chairman, I ask for a recorded vote on that last motion.

Mr. DICKS. I think the time has expired, Mr. Chairman. This was not done in a timely way.

The Acting CHAIRMAN. The gentleman from Washington is correct. The gentleman from Utah's request was not timely.

Mr. BISHOP of Utah. Let me try one thing here. I will ask under unanimous consent.

Mr. DICKS. I object.

The Acting CHAIRMAN. Objection is heard.

AMENDMENT NO. 7 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 111, after line 17, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available under this Act may be used to promulgate or implement the Environmental Protection Agency proposed regulations published in the Federal Register on January 3, 2007 (72 Fed. Reg. 69).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 1800

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, before I begin, I would like to commend the gentleman from Washington and Chairman DICKS and the gentleman from Kansas (Mr. TIAHRT) for their good work on this underlying bill.

The amendment I offered today stems directly from concerns I have over a recently proposed rule by the Environmental Protection Agency that could radically alter the current interpretation of the Clean Air Act and adversely impact public health.

On December 21 last year, 4 days before Christmas, EPA introduced a cleverly timed proposal that would essentially weaken hazardous air pollutant emission standards for major sources of pollution as defined by section 112 of the Clean Air Act. My amendment would prohibit the use of fiscal year 2008 funds by EPA to promulgate this ill-advised and environmentally dangerous proposal.

Currently, major sources, major source polluters, facilities that emit 10 tons per year of a single air toxin or 25 tons per year of any combination of toxic pollutants are required to comply with the Maximum Achievable Control Technology standards, called MACT, permanently, a policy adopted in 1995 known as Once In, Always In.''

MACT standards are technology-based area emission standards established under title 3 of the 1990 Clean Air Act amendment. Compliance with MACT standards can require facility owners and operators to meet emission limits, install emission control technologies, monitor emissions and/or operating parameters and use specified work practices.

These public safeguard standards have proven most effective in reducing

toxic, harmful, cancer-causing eye pollutants such as mercury, chlorine, benzene, methanol and asbestos. If EPA's proposed rule were to take effect, industrial facilities could emit hazardous air pollutants at levels just below 10/25 major source thresholds and not be subject to the MACT standards.

This move has been criticized by the State clean air agencies, our regional officers, our major metropolitan leaders, as well as the county leaders and environmental groups. A majority of EPA's own regional offices initially excluded from viewing and providing input on the proposed policy have been highly critical of the proposed rule citing health and emission concerns.

EPA has done very little to justify such a dramatic shift in congressional intent or the agency's own long-standing interpretation. Moreover, the Agency has performed very little, if any, substantive emissions analysis, and they have performed no public health analysis for any industrial sector. In my view the Agency's proposed rule represents another installment of regulatory attacks designed to gut the Clean Air Act.

The public health of this Nation should not be forced to take the back seat to the interest of big polluters. The congressional authorities captured in section 112 of Clean Air Act are intended to ensure that major source emitters of hazardous air pollutants are required to comply with MACT standards permanently to ensure that the elimination of air toxics are achieved and maintained in the interest of public health.

In 1995, upon adoption of the ''once in, always in'' policy, EPA stated the following:

''EPA believes that this once in, always in policy follows most naturally from the language and structure of the [Clean Air Act] statute. In many cases, application of MACT will reduce a major emitter's emissions to levels substantially below the major thresholds.

''Without a once in, always in policy, these facilities could 'backslide' from MACT control levels by obtaining potential-to-emit limits, escaping applicability of the MACT standard, and increasing emissions to the major source threshold.

''Thus, the maximum achievable emission reductions that Congress mandated from major sources would not be achieved.

''A once in, always in policy ensures that MACT emission reductions are permanent, and that the health and environment protection provided by MACT standards is not undermined.''

In the Federal Register, the Agency raged on and on about how great the proposed rule is for major source polluters, because it will create incentives for industry to reduce emissions.

The Acting CHAIRMAN. The gentlewoman's time has expired.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DICKS. I yield to the gentlelady from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. When it comes to quantifying the implications of this proposal on the environment and public health of this Nation, the Agency is silent.

The burden of proof regarding soundness of this proposed rule rests squarely on the shoulders of EPA. Thus far, the Agency has failed, at best, to make even a lackluster case.

My constituents in Dallas and the surrounding area are already burdened by the scarlet letter of nonattainment. I refuse to let their public health be subject to another further deterioration from a proposal laced with tortured assumptions. This is an unsound policy that should be stopped.

I urge my colleagues to join me in supporting clean air, a healthy environment, and a strong Clean Air Act. Vote ''yes'' on the Johnson amendment and the Interior and the Environment Appropriations bill.

While I appreciate the vigor of the opposing side's view on this matter, it is my respectful view that they are simply wrong on this matter.

I would like to amplify an area of concern raised by EPA's own regional offices regarding enforcement should the once in, always in policy be negated.

In a 2005 Regional Memorandum to EPA Headquarters, the regions assert the following:

A related concern with regard to the draft changes as written is that a facility, by changing from a major source to an area source, and back again, could virtually avoid regulation and greatly complicate any enforcement against them.

Take, for example, a facility that is covered by a MACT standard, and has 3 years from the date the rule is promulgated to come into compliance. Three years go by, and just before the end of that time period, the facility announces its area source status.

If an area source regulation exists, there may also be some equivalent waiting period before the facility is required to comply with the area source requirements.

If the facility later announces that it is after all, a major source, then it may again enter a grace period, possibly up to another 3 years, before it is subject to the MACT standard requirements.

Thus, by continually going back and forth between major and area source status, a facility could be a major source [polluter] for most of its operating life and never have to comply with the MACT standard requirements.

Again Mr. Chairman, these are not my words but those of EPA's own regional offices.

Mr. Chairman, my congressional district lies within the heart of EPA Region 6. Throughout Region 6 there are approximately 3,000 major source polluters according to EPA data.

If EPA's rule were to take effect, based on the guidance of EPA's own regional offices I just referenced, 3,000 major source polluters could continually backslide on a public health safeguard meant to minimize my constituent's exposure to toxic, cancer causing air pollutants.

Clearly, this was not the intent of Congress as reflected in Section 112 of the Clean Air Act.

Mr. Chairman, I include for the RECORD a memorandum dated December 13, 2005, from Michael S. Bandrowski, Chief, Air Toxics, Radiation and Indoor Air Office, Region IX, of the Environmental Protection Agency.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION IX.
San Francisco, CA, December 13, 2005.

REGIONAL COMMENTS ON DRAFT OIAI POLICY REVISIONS

DAVID COZZIE,
Group Leader, Minerals and Inorganic Chemicals Group, Office of Air Quality Planning and Standards.

Thank you for allowing the Regional Offices the opportunity to comment on the draft proposed changes to the General Provisions of 40 CFR Part 63, intended to replace EPA's Once-in-Always-In (OIAI) policy established in a May 16, 1995, memorandum entitled, ''Potential to Emit for MACT standards—Guidance on Timing Issues,'' from John S. Seitz to the Regional Air Directors. A draft copy of the proposed changes, dated November 16, 2005, was received by Region IX on November 30, 2005, and we shared this copy with the Regional Offices. As sub-lead Region for air toxics, we have summarized and consolidated the feedback received from the Regional Offices, and are forwarding these Regional comments and concerns through this memo. Eight Regions provided comments. For your convenience, the original comments from each Regional Office are included as attachments to this memo.

Over the years, many questions and implementation issues have arisen that have initiated the reconsideration of the OIAI policy. The new revisions being planned by OAQPS would essentially negate the original policy, and this change would be codified in the 40 CFR Part 63 General Provisions. This change in policy would have major implications for implementation and enforcement of the maximum achievable control technology (MACT) standards. The Regional Offices, therefore, appreciate the opportunity to review and comment on HQ drafts before the revisions are proposed in the FEDERAL REGISTER for public comment. However, we are disappointed that OAQPS formulated revisions to the OIAI policy without seeking Regional input and was reluctant to share the draft policy with the Regional Offices. This trend of excluding the Regional Offices from involvement in rule and policy development efforts is disturbing. We are requesting that OAQPS establish a means for Regional input during the development of future policies and rules.

With regard to the OIAI policy, all the Regional Offices that submitted comments acknowledged the need for a change from the 1995 guidance in limited circumstances. For example, if EPA finalizes the delisting of methyl ethyl ketone as a hazardous air pollutant (HAP), it would be logical for EPA to allow existing major sources of HAPs to reevaluate their PTE, excluding emissions of methyl ethyl ketone. Likewise, if a source eliminates, or significantly reduces their use of HAPs, then it would be reasonable for EPA to allow such a source to reevaluate MACT standard applicability. In addition, certain pollution prevention benefits may follow in circumstances where a source has an incentive to obtain actual reductions in emissions of HAPs equivalent to or greater than the level required by the MACT standard with less burden and cost. Overall, the Regions support the intent behind the draft proposed amendments to provide incentive to companies for engaging in emission-reducing activities. Several Regions also explicitly stated their support of revising the policy through a public rulemaking process and encouraging sources to explore different control technologies and pollution prevention

options to reduce emissions and potential to emit (PTE). One Region was supportive of the change in policy as drafted. However, all other Regional Offices expressed varying degrees of concern about allowing any source to take synthetic minor limits at any time, for any reason. The concerns are described below, followed by suggestions for addressing these concerns while still encouraging existing MACT sources to take actions towards pollution prevention. Our comments are organized as follows:

HEALTH AND EMISSIONS CONCERNS

1. Reversal of Position with Inadequate Justification

The May 16, 1995, Seitz memo regarding potential to emit for MACT standards states: EPA believes that this once in, always in policy follows most naturally from the language and structure of the statute. In many cases, application of MACT will reduce a major emitter's emissions to levels substantially below the major thresholds. Without a once in, always in policy, these facilities could ''backslide'' from MACT control levels by obtaining potential-to-emit limits, escaping applicability of the MACT standard, and increasing emissions to the major-source threshold (10/25 tons per year).

Thus, the maximum achievable emissions reductions that Congress mandated for major sources would not be achieved. A once in, always in policy ensures that MACT emissions reductions are permanent, and that the health and environmental protection provided by MACT standards is not undermined. (See page 9)

Elsewhere, the Seitz memo states: In the absence of a rulemaking record supporting a different result, EPA believes that once a source is required to install controls or take other measures to comply with a MACT standard, it should not be able to substitute different controls of measures that happen to bring the source below major source levels. (See page 5)

While it is true that policy is not set in stone, and that policy decisions may be reversed, the preamble, as currently drafted, does not set forth an adequate rulemaking record to justify this drastic change in interpretation. In 1995, EPA believed that the OIAI policy follows ''most naturally'' from the language and structure of the statute, and that allowing facilities to backslide would undermine the maximum achievable emissions reductions mandated by Congress. Now, in 2005, EPA is claiming that ''there is nothing in the statute which compels the conclusion that a source cannot attain area source status after the first compliance date of a MACT standard'' (see page 15 of the draft proposed changes). In order to provide an adequate rulemaking record, the preamble should more clearly articulate why EPA no longer believes that the OIAI policy flows naturally from the statute.

2. Increased HAP Emissions Resulting from Abandoning MACT Control Levels

The Clean Air Act requires the maximum degree of reduction in emissions of HAPs from sources subject to the MACT standards. The reductions anticipated through the MACT program will not be achieved through the strategy described in the draft rule proposal. A key concern is that the draft proposal allows facilities to obtain synthetic minor permits after the MACT standard compliance date by taking potentially less protective requirements than the MACT standard would otherwise require them to install. The proposal, as written, would be detrimental to the environment and undermine the intent of the MACT program.

Many MACT standards require affected facilities to reduce their HAP levels at a control efficiency of 95% and higher. In many instances, the MACT requirements could lead to greater reductions when compared to sources accepting synthetic minor limits of 24 tons per year (tpy) for a combination of HAPs and 9 tpy for a single HAP. Clearly, the intent in promulgating MACT standards was to reduce emissions to the extent feasible, not just to the minor source level. However, under the current draft proposal, the reductions that were intended to be achieved through the MACT standards would be offset by synthetic minor limits that allow sources to emit HAPs at levels higher than those allowed by the MACT standard. The cost of the increased HAP emissions would be borne by the communities surrounding the sources. On pages 15 and 16 of the draft preamble, EPA states:

''A concern has been raised that sources that are currently well below the major source threshold will increase emissions to a point just below the threshold. We believe these concerns are unfounded. While this may occur in some instances, it is more likely that sources will adopt PTE limitations at or near their current levels to avoid negative publicity and to maintain their appearance as responsible businesses.''

This statement is unfounded and overly optimistic. Regional experience indicates that sources requesting synthetic minor limits to avoid a MACT standard typicaI1y request, and are frequently given, limits of at least 24 tpy for a combination of HAPs and 9 tpy for a single HAP. The Regional Offices anticipate that many sources would take limits less stringent than MACT requirements, if allowed. Thus, the cumulative impact of many ''area'' sources whose status is derived after the MACT compliance date could be significant. This change in policy would offset the intended environmental benefits of the MACT standards. Although the draft changes could serve to alleviate some possible inequity under the current OIAI policy, or encourage some sources to further reduce emissions to achieve area source status, EPA should look closely at this issue to determine whether the likely benefits would be greater than the potential environmental costs. This analysis should occur before the proposal is put forth for public comment. One Region suggested that EPA should not enact a policy allowing facilities to qualify out of the MACT standards until a strong area source toxics program is in place, or until state, local and tribal air quality agencies have programs that can provide an equivalent level of protection.

A related concern with regard to the draft changes as written is that a facility, by changing from a major source to an area source, and back again, could virtually avoid regulation and greatly complicate any enforcement against them. Take, for example, a facility that is covered by a MACT standard, and has three years from the date that the rule is promulgated to come into compliance. Three years go by, and just before the end of that time period, the facility announces its area source status. If an area source regulation exists, there may also be some equivalent waiting period before the facility is required to comply with the area source requirements. If the facility later announces that it is, after all, a major source, then it may again enter a grace period, possibly up to another 3 years, before it is subject to the MACT standard requirements. Thus, by continually going back and forth between major and area source status, a facility could be a major source for most of its operating life and never have to comply with the MACT standard requirements. The 1995 OIAI policy recognizes this and states, ''The EPA believes the structure of section 112 strongly suggests certain outer limits for when a source may avoid a standard through a limit on its potential to emit.'' This type of problem must be addressed if the OIAI policy is changed.

MICHAEL S. BANDROWSKI,
Chief, Air Toxics, Radiation and Indoor Air Office, Region IX.

Mr. DICKS. Mr. Chairman, I rise in support of the gentlelady's amendment. EPA's proposed rule would weaken almost every air toxic rule issued since 1990 by allowing some air pollution sources to increase their emissions. EPA purports that the proposed changes would encourage more sources to strive for additional reductions of toxic air pollution. Yet the EPA cannot provide concrete data to support this assumption and has avoided quantifying the environmental impacts of this proposal.

In fact, when given the opportunity to comment on the proposal, EPA's own regional office expressed significant concerns about the increase in emissions that will likely occur from the revisions to the existing policy.

I congratulate the gentlelady on her amendment and urge that the committee accept it.

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

Mr. TIAHRT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Kansas is recognized for 5 minutes.

Mr. TIAHRT. Mr. Chairman, I rise in opposition to the amendment. The administration proposed the rule, and the reason for it is simple, and it is to provide incentives and to encourage industry to lower emissions. It reminds me of the story when the Kansan went over across the river to visit Missouri.

The story goes that he took the ferry across, and he was picked up by a gentleman who had a cart with a mule in front of it. The gentleman was dangling a carrot in front of the mule. The mule would move forward, and that incentive got the mule to move.

So he went down to the courthouse in Saint Joseph, and he conducted his business. Then he went back out to get a ride back to the ferry, and there was another gentleman with a cart and a mule. So he hopped in the back of the cart and he said, I would like to go back to the ferry.

And the mule skinner said, ''Giddyap,'' and the mule did not move. So he got out of the car and he pulled out a 2 by 4, and he whacked the mule in the head. The guy from Kansas said, ''well, why'd you do that.'' He said, ''well, I had to get the mule's attention.'' He got back in the cart, and he said, ''Giddyap.''

The man from Kansas said, ''Wouldn't it have been better if you gave the mule an incentive, like a carrot,'' and he explained the whole story.

Well, Mr. Chairman, the companies have no incentives under the old Clinton policy to reduce pollution, because once designated as a major source, they are always designated as a major source. As a result, companies are stuck at certain levels of pollution and

not provided with any incentive, no carrot whatsoever to lower their emissions below that level.

Over the last decade, pollution prevention methods have changed, and many companies are now embracing the economics of environmental protection. EPA is currently reviewing the public comments on this proposed rule, and we should allow that process to move forward.

The bottom line is, if there is even a chance that this proposed rule would encourage more sources to strive for additional reductions of toxic air pollution with these new incentives, then we should encourage that action.

I therefore urge a ''no'' vote on this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. TIAHRT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BISHOP of Utah:

At the end of the bill, add the following:

''SEC.____. No funds made available by this Act may be made available through a grant to any Internal Revenue Code 501(c)(3) organization who is a party to a lawsuit against the dispensing agency.''

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP. Thank you.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIRMAN. The gentleman from Washington's reservation is not timely.

The gentleman from Utah is recognized.

Mr. BISHOP of Utah. Mr. Chairman, there is something that is happening in the Department of Interior that is disturbing. So-called nonprofits, many of them financed by wealthy individuals, are lining up with their hands extended, requesting and accepting government handouts in the form of grants.

Then what do these nonprofits do with the taxpayers' money? They come back and they sue the same agents that wrote them a check.

At the same time, these 501(c)(3)s complain that the agencies are then underfunded. Now it's difficult to see how land management agencies are ever going to have enough money to take care of their responsibilities and appease the nonprofits when a good chunk of their budget is siphoned off yearly by defending themselves against endless lawsuits.

501(c)(3)s have a great system. It's a very efficient business model for them. It does defy logic except in what we call the bureaucracy of the Federal Government. These nonprofits bite the hand that feeds them, and the hand simply can't stop itself from feeding them even more. After biting the hand, they then go out and find more money to continue the assault, line their pockets, all along touting their advocacies on behalf of the hand they had just bitten.

My amendment provides a potential remedy to this disturbing and increasing trend. It would prohibit funds in this bill from being dispersed to 501(c)(3)s that are party to litigation against the dispensing agency. In other words, if you are suing the Department of the Interior, you are not eligible to receive money from the Department of the Interior.

I believe, as everyone does, in the right to sue, but it defies logic that we would ask taxpayers to finance litigation against themselves. The taxpayer ends up paying twice, first in the form of the handouts to the nonprofit, and then when the government's attorney needs to be paid for defending it.

Keep in mind, this also diverts money from critical needs on our public land. The maintenance backlog on our lands is well documented, reaches into billions of dollars, and we can't even say the taxpayers are even hit a third time when they try to access these multiple-use public lands only to find out that the particular activity is currently off limits due to ongoing litigation brought on by so-called nonprofit advocacy groups generously financed by the taxpayers.

Now some may say that there are legitimate reasons to take the government to court. I would agree with that statement. But I would not agree that it's the government's responsibility to fund that complaint, especially the same government entity you are at the same time suing.

This amendment is very simple. If a nonprofit organization can afford to finance elaborate fundraising campaigns to enrich themselves, certainly they can afford to sue the government on their own dime. Don't let these organizations sell you underchronic underfunding of agency X, Y and Z when they, themselves, are draining that agency from resources by the millions. This two-faced scheme must be stopped. It's time for us to show the taxpayers some respect and stop playing this type of a game with their money.

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

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

The Acting CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Mr. Chairman, this amendment, while straightforward is not what it seems. While it seems logical that we should not issue grants to any group that is in litigation with the agency issuing the grant, that could result in far-reaching consequences. Even the gentleman, I don't think, could predict accurately all of the implications of this.

For instance, this amendment could very well impact programs in Indian country. Many tribes choose to create, through separate organizing documents, an entity separate from the tribe that does not have sovereign powers and is organized exclusively for purposes described under IRC section 501(c)(3).

□ 1815

Here are some examples of non-profit groups within Indian Country:

United Tribes Technical College, the Inter-tribal Bison Council, the Affiliated Tribes of the Northwest, the Native American Chamber of Commerce, the National Congress of American Indians.

If organizations such as these were involved in any litigation against the Department of the Interior, they would be ineligible to receive grants. Now, I remind the Chair that many tribal organizations across the Nation are in litigation with the Department of the Interior. Are we to deny the services these groups provide to Indian Country because they have longstanding legal disputes with the U.S. Government?

In addition to Indian Country, there are many wildlife conservation groups whose grassroots members provide thousands of hours of services to agencies in this bill. Groups that help the agencies with natural resource education, wildlife and habitat management, maintenance and upkeep of our national wildlife refuges and parks, and many other important efforts. These groups would be denied grants to provide those services because their parent organizations are involved in litigation regarding a legitimate difference in policy with the United States.

I think this is an ill-advised amendment, and I strongly urge a ''no'' vote on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was rejected.

AMENDMENT NO. 20 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds made available in this Act may be used to eliminate or restrict programs that are for the reforestation of urban areas.

Mr. TIAHRT. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, my amendment is simple, and it sends a very important message to the United States Congress. As I do that, let me thank the chairman of the full committee and the chairman of the subcommittee and all of those who are prepared to work in a bipartisan manner. I can see that the tone has changed on this particular bill because this is an amendment that was accepted last year.

My amendment is simple, as I said. It emphasizes the importance of urban forests and preserves our ability to return urban areas to healthy and safe living environments for our children. An identical amendment was offered to last year's appropriations bill, H.R. 5386, and was adopted by voice vote.

This amendment emphasizes surveys that indicate that some urban forests are in serious danger. In the past 30 years alone, we have lost 30 percent of all our urban trees, a loss of over 600 million trees. Some of it has been lost to devastating natural disasters. For example, in my travels to New Orleans, as the aftermath of Hurricane Katrina, huge numbers of trees, maybe thousands, were seen either strewn around or laying upon piles of debris.

Eighty percent of the American population lives in dense quarters of a city. Reforestation programs return a tool of nature to a concrete area that can help remove air pollution, filter out chemicals and agricultural waste in water and save communities millions of dollars in storm water management costs. I have certainly seen neighborhoods in Houston benefit from urban reforestation, as it would across the Nation.

In addition, havens of green in the middle of a city can have a beneficial effect on a community's health, both physical and psychological, as well as increase property values of the surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and/or deterioration. In this age of climate change and global warming, a real commitment to enhancing our environment involves both the protection of existing natural resources and active support for restoration improvement projects.

In 1999, American Forests, a conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in additional 540 million cubic feet of storm water runoff annually, which would have taken more than $1 billion in storm water control facilities to manage.

For those of us who live in areas 50 feet below sea level, as I do, in the gulf region, we know how important it is for trees to be amongst us.

This amendment is very simple. It is an encouragement based upon existing legislation that indicates that trees are important to clean air, it is important to prevent extreme flooding, storm water runoff, and certainly, it is a cooling factor in these days when temperatures are rising enormously high.

I would hope my colleagues would be sensitive to the bipartisan commitment to reforestation and move this amendment forward so that we as a Nation can stand on the record for the greening of America, treeing of America, all over, no matter what region you're in.

Thank you for this opportunity to speak in support of my amendment to H.R. 2643, the Interior and Environment Appropriations Act of 2008, and to commend Chairman DICKS and Ranking Member TIAHRT for their leadership in shepherding this bill through the legislative process. Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution, which operates our national museums including the National Zoo.

Mr. Chairman, my amendment is simple but it sends a very important message from the Congress of the United States. My amendment emphasizes the importance of urban forests, and preserves our ability to return urban areas to healthy and safe living environments for our children. An identical amendment was offered to last year's appropriations bill, H.R. 5386, and was adopted by voice vote.

Mr. Chairman, surveys indicate that some urban forests are in serious danger. In the past 30 years alone, we have lost 30 percent of all our urban trees—a loss of over 600 million trees.

Eighty percent of the American population lives in the dense quarters of a city. Reforestation programs return a tool of nature to a concrete area that can help to remove air pollution, filter out chemicals and agricultural waste in water, and save communities millions of dollars in storm water management costs. I have certainly seen neighborhoods in Houston benefit from urban reforestation.

In addition, havens of green in the middle of a city can have beneficial effects on a community's health, both physical and psychological, as well as increase property value of surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and/or deterioration. In this age of climate change and global warming, a real commitment to enhancing our environment involves both the protection of existing natural resources and active support for restoration and improvement projects.

In 1999, American Forests, a conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than $1 billion in storm water control facilities to manage.

Trees breathe in carbon dioxide, and produce oxygen. People breathe in oxygen and exhale carbon dioxide. A typical person consumes about 38 lbs of oxygen per year. A healthy tree, say a 32-ft tall ash tree, can produce about 260 lbs of oxygen annually—two trees supply the oxygen needs of a person for a year!

Trees help reduce pollution by capturing particulates like dust and pollen with their leaves. A mature tree absorbs from 120 to 240 lbs of the small particles and gases of air pollution. They help combat the effects of ''greenhouse'' gases, the increased carbon dioxide produced from burning fossil fuels that is causing our atmosphere to ''heat up.''

Trees help cool down the overall city environment by shading asphalt, concrete and metal surfaces. Buildings and paving in city centers create a heat-island effect. A mature tree canopy reduces air temperatures by about 5–10 degrees Fahrenheit. A 25-foot tree reduces annual heating and cooling costs of a typical residence by 8 to 12 percent, producing an average $10 savings per American household. Proper tree plantings around buildings can slow winter winds, and reduce annual energy use for home heating by 4–22 percent.

Mr. Chairman, trees play a vital role in making our cities more sustainable and more liveable. My amendment simply provides for continued support to programs that reforest our urban areas.

For all these reasons, Mr. Chairman, I urge adoption of my amendment and thank Chairman DICKS and Ranking Member TIAHRT for their courtesies, consideration, and very fine work in putting together this excellent legislation.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. TIAHRT. I would like to ask the gentlewoman from Texas if this is the same language that she offered last year.

Ms. JACKSON-LEE of Texas. To the ranking member, yes. The amendment is the same language. It is a limitation, the same language that was offered last year.

Mr. TIAHRT. Mr. Chairman, I withdraw my point of order.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, we're prepared to accept the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. DENT

Mr. DENT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. DENT:

H.R. 2643

Page 111, after line 17, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to implement, administer, or enforce section 20(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIRMAN. The point of order is reserved.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I want to make four points about this amendment that I'm offering here today. First, the expansion of Indian or tribal gambling, particularly off-reservation casino gambling, has gone far beyond what was intended by the Indian Gaming Regulatory Act of 1988.

Twenty years ago, there were no tribal casinos. Today, there are approximately 406 Indian casinos in 29 States.

Revenue from Indian gambling has gone from $0 to $19 billion in 20 years. These extraordinary profits have caused casino interests to form alliances with tribes in order to establish more profitable casinos in locations far removed from existing reservations.

The second point I want to make, and there are very specific examples of ''reservation shopping,'' as we like to refer to this. One, the St. Regis Bank of Mohawk Indians is trying to build a casino 350 miles from its reservation.

The Bad River Band of Lake Superior and St. Croix Chippewa Indians of Wisconsin are trying to build a casino in Michigan, over 300 miles from its existing reservation.

The Pueblo of Jemez of New Mexico are trying to build a casino in Anthony, New Mexico, over 290 miles from its reservation.

The Mohegan Tribe of Connecticut, along with the Menominee Tribe of Wisconsin, is trying to build the largest casino between New Jersey and Las Vegas in Kenosha, Wisconsin, over 1,000 miles from the Mohegan lands in Connecticut.

As of May 2006, there were some 40 applications to approve new casino operations pending at the Bureau of Indian Affairs, casinos that are, for the most part, destined for off-reservation sites.

The third point I want to make is that the expansion of tribal gambling has had a corrupting influence on the political system and has forced local municipalities and homeowners to go to court to essentially protect their properties from casino interests anxious to seize their lands.

Tribal casino profits are high, and regulation of tribal gaming profits is minimal. As a result, Jack Abramoff was able to take an estimated $85 million from the Mississippi Choctaw and other tribes. He was able to use some of this money to bribe entities within the political system, sometimes to further the interest of one client as against those of another.

Casino interests have also allied with local Indian tribes to sue municipalities and landowners. In the 15th District of Pennsylvania, which I represent, the Delaware Nation, which is actually based in Oklahoma, filed in Federal court to establish title to a 315-acre tract of land in Northampton County, Pennsylvania, near Easton, so that it could build a gambling facility. Its claim was based in part on a conveyance that ostensibly occurred in 1737, well before the establishment of our country.

More than 25 families live on this property, and it is also home of the Crayola Company, which makes the much beloved Crayola crayons that our children all enjoy.

Although the suit was ultimately resolved in favor of the homeowners and the plaintiffs lost in every courtroom, the deep-pocketed interests behind this lawsuit were able to fund this litigation all the way to the United States Supreme Court, causing no small amount of apprehension among the innocent home owners and business owners here.

Tribal organizations do recognize that there are problems with this expansion. Several support meaningful limitations on off-reservation tribal gambling.

And the fourth and final point that I would like to make about this amendment, Mr. Chairman, is that the time has come for Congress to step in. This amendment is the first step towards reforming a system that has simply spun out of control.

The Bureau of Indian Affairs published proposed regulations on October 5, 2006, but these regulations are weak and do not adopt meaningful criteria or standards.

The Congress must step in and reassert its regulatory authority over off-reservation gambling by enacting comprehensive reform of the Indian Gaming Regulatory Act of 1988. Until that's done, we need to have a moratorium on off-reservation gambling, which this amendment will, in effect, accomplish.

The amendment directs specifically that no funds shall be expended to process any applications for off-reservation casinos under section 20(b)(1) of IGRA of fiscal year 2008.

The amendment will have no impact, and let me repeat this: The amendment will have no impact on existing on-or off-reservation casino operations, as they have already gone through the BIA approval process. This will not impact any tribal casino that is currently operating on- or off-reservation.

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

Mr. DICKS. Mr. Chairman, I rise in opposition to this amendment and claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DICKS. I understand the gentleman's concern on this complex issue. And I also withdraw my point of order.

I understand the gentleman's concern on this complex issue, but the Bureau of Indian Affairs has a process for putting land into trust. We should not interfere with that process.

When an American tribe decides it wants to engage in gaming activities under the Indian Gaming Regulatory Act on a parcel of land that is not already into trust, it must go through an exhaustive application process that determines if a gaming establishment on newly acquired land will be in the best interest of the tribe and its members, and not detrimental to the surrounding community.

Additionally, the Department is currently drafting regulations that will implement section 20 of the Indian Gaming Regulatory Act by articulating standards that the Department will follow in interpreting the various exceptions to the gaming prohibition on after-acquired trust lands. We need to let that process go forward.

Even if the Department approves a tribe's request, the Governor of the State must also agree. To interfere with this process circumvents the Gaming Regulatory Act, interferes with an established process in the Bureau of Indian Affairs and should not be included in an appropriations bill.

And I want to say that again. This should be in an authorization bill. And if the gentleman is concerned, take it to the Natural Resources Committee or the committee of jurisdiction. That's where this should be worked out, not here on this appropriations bill.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word. I yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I just wanted to point out the fact that this problem has simply spun out of control in this country. Last session, we attempted to deal with this in a bill that would restrict off-site. Off-reservation tribal gambling was defeated. I think we need to try this again.

The regulations that were mentioned are simply weak and not meaningful enough, in my view, and I think we need the proposed regulations.

□ 1830

I would strongly urge that Congress reassert itself and take control over

this issue. I don't believe that the authors of the Indian Gaming Act of 1988 intended that we would have a situation in this country today where 29 States would now have casinos, 406 tribal casinos in 29 States. I don't think that was the intent. I haven't met anybody who voted for that law who thought that was what they were voting for at the time, but that is what we have now.

In my district, there has been great hardship. I mean, a 1737 land conveyance, a 1737 land conveyance, going back to William Penn and the Walking Purchase. That is what we are talking about here, taking land of homeowners, a crayon factory, a much beloved crayon factory, and I think it is time for us to act. It is time for this Congress to act. We have had a lot of time to deal with this issue. We have not done so.

And with that, again, I respectfully ask all my colleagues, and I understand the process that we are engaged in here, but we need this type of a moratorium. It is absolutely essential. I think it will send a message to the authorizing committees, to the Department of Interior that we are serious about this issue, that we have had enough. Enough is enough. Too many people are being displaced or potentially displaced, clouds over the properties to their titles, again, in my case, over a 1737 land conveyance. Again, these were big developers working in concert with the tribes and spending enormous amounts of money and people having to defend themselves. And it really has gotten to the point of being outrageous, and I think we need to act once again. And I respectfully ask for the support of everyone here.

I thank the gentleman for yielding.

Mr. RYAN of Wisconsin. Mr. Chairman, I rise to address the Dent amendment concerning off-reservation casino applications.

Two proposals are currently under consideration in southern Wisconsin on which I have taken a neutral position.

Voting in affirmative on this amendment would violate my position of neutrality. Therefore, I will vote no and remain neutral on these pending applications.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. DENT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. KINGSTON

Mr. KINGSTON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. KINGSTON:

H.R. 2643

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

Mr. DICKS. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Georgia (Mr. KINGSTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, I thank the chairman of the committee and the ranking member for the opportunity to offer this for consideration. And I do realized that the chairman has reserved a point of order. I hope he doesn't insist upon it, but if he does, I certainly understand, as we share, I think, the same goal of cracking down on illegal aliens.

What this amendment does, Mr. Chairman, is say that if you sell or contract or do business with the Federal Government, then you need to be part of the Social Security verification project known as the Basic Pilot. And the Basic Pilot program is a tool for employers to verify the Social Security numbers of employees.

We all know that the Federal Government is one of the worst offenders of hiring contractors and subcontractors who in turn hire illegal aliens and do a lot of government work. We also know that since the inception of ICE, the Immigration and Customs Enforcement Agency, Julie Myers, the head of it, has stated that there have been hundreds and hundreds of arrests at military installations, power plants, chemical plants, sensitive facilities, and truly this would include a lot of the agencies and a lot of the contractors in work that is done in the Department of Interior for work on our national parks and other land areas.

There was one very high-profile case where a defense contractor had hired illegal aliens to work in a shipyard in Mississippi, another one at an Air Force base in North Carolina, and another one at a Marine base in Virginia. Those are more defense oriented, but this would certainly apply to all Federal agencies.

The success of this program, though, is that 92 percent of the prospective employees have their Social Security number verified within seconds of the work authorization. So this isn't requiring that employers have some cumbersome, unworkable paperwork requirement. In fact, 50 percent of the employers who use this program surveyed have said that it is an excellent, good, to very good program. And 98 percent say that they are likely to continue to use this program. It is a very good tool, I think to crack down on Social Security verification. And as we know, right now the U.S. Senate is debating an enormously unpopular bill which seeks comprehensive immigration reform.

This is a step. The American people have sent a clear signal that they want immigration reform but they would like it in the form of steps rather than comprehensive.

So with that, Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. DICKS. Mr. Chairman, it is with a very heavy heart, but I must insist on my point of order.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. KINGSTON. Mr. Chairman, I just want to say as a member of the Appropriations Committee now going on 14 years, I remember several years ago when Congressman David Skaggs of Boulder, Colorado, offered an amendment in the committee which reinstituted the War Powers Act, because at that time we were concerned that President Clinton was getting us involved in a war in Bosnia; so we put it on that bill. And I believe last session we put on the continuation of government on an appropriation bill, and I am a firm believer that we do routinely authorize on appropriation bills. We just need to agree with the authorization.

So I want to say to my friend I have seen things accepted and things rejected.

Mr. DICKS. Is this a discussion on the point of order, Mr. Chairman, or are we wandering around?

Mr. KINGSTON. This is a speech and it is a very good speech.

The Acting CHAIRMAN. Members will refrain from arguing beyond the point of order.

Mr. KINGSTON. In any case, Mr. Chairman, I understand where the distinguished chairman of this committee is coming from and we will continue to work with him, the Appropriations Committee, and all Members of Congress to try to get Social Security verification done by businesses that contract with the Federal Government.

The Acting CHAIRMAN. Does any other Member seek recognition on the point of order? If not, the Chair is prepared to rule.

The amendment would require a determination of whether an entity does or does not participate in a given pilot program under immigration law. This determination is not currently required of the relevant Federal contracting officials. As such, the amendment constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained.

Mr. DICKS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. JACKSON-LEE of Texas) having assumed the chair, Mr. BECERRA, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2829, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 110–213) on the resolution (H. Res. 517) providing for consideration of the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 2669, COLLEGE COST REDUCTION ACT OF 2007

(Mr. CARDOZA asked and was given permission to address the House for 1 minute.)

Mr. CARDOZA. Madam Speaker, the Rules Committee is expected to meet the week of July 9 to grant a rule which may structure the amendment process for floor consideration of H.R. 2669, the College Cost Reduction Act of 2007.

Members who wish to offer an amendment to this bill should submit 30 copies of the amendment and a brief description of the amendment to the Rules Committee in H–312 in the Capitol no later than 11 a.m. on Tuesday, July 3. Members are strongly advised to adhere to the amendment deadline to ensure the amendments receive due consideration.

Amendments should be drafted to the bill as reported by the Committee on Education and Labor. A copy of that bill is posted on the Web site of the Rules Committee.

Amendments should be drafted by Legislative Counsel and should be reviewed by the Office of the Parliamentarian to be sure that the amendments comply with the rules of the House. Members are also strongly encouraged to submit their amendments to the Congressional Budget Office for analysis regarding possible PAYGO violations.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 514 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2643.

□ 1841

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. BECERRA (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 23 printed in the CONGRESSIONAL RECORD offered by the gentleman from Georgia (Mr. KINGSTON) had been disposed of.

AMENDMENT OFFERED BY MR. PEARCE

Mr. PEARCE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PEARCE:

At the end of the bill, before the short title, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. No funds made available in or through this Act may be used for the continued operation of the Mexican Wolf Recovery program.

Mr. DICKS. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of today, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, I rise today to offer an amendment to stop a program that has been a failure. Let the record be clear. After more than 10 years of failed attempts to reintroduce Mexican wolves, it is now time to call an end to this program.

I am speaking of the Mexican Wolf Recovery Program operated by the Fish and Wildlife Service in New Mexico and Arizona. Since the 1998 release of these captive bred wolves into the Blue Range Wolf Recovery area, this program has attempted to restore a population of wolves into the area, all while providing no compensation to ranchers for their livestock losses and all in the face of nearly unified local public opinion against the program.

Promises were made that the wolves would be restricted to the wilderness area of the Gila Mountains, but instead we have seen wolves as far away as Tularosa, New Mexico, almost 200 miles away.

To date this program has spent nearly $14 million and as of today has only 58 wolves in the wild; $14 million, 10 years, and 58 wolves in the wild.

□ 1845

Of these 58 wolves in the wild, we now are on a pace to remove 12 this year because they're problems.

Chart number 1 that I brought up today highlights the increasing rate of removal of the wolves from the wild because they're killing too much livestock and they're endangering people and pets in the district that I represent.

In 2005, the Service removed four problem wolves. In 2006, it removed eight. In 2007, we're on a pace to remove 12 wolves, 12 out of 58. If the Service has to remove 12 wolves this year, 20 percent of the wolves in the recovery area, how can anyone classify as a success a program where this many of the wolves are being a danger to ranchers and livestock?

I would add that the wolves that are released into New Mexico are the wolves that have killed too many animals over in Arizona. So New Mexico gets the benefit of having the most dangerous wolves released into the Second District.

Secondly, I would like to go to a chart that shows the horse, Six. In this shot, on the left side, Stacy Miller, 8 years old, is riding her horse, Six. This picture was taken 2 weeks before this picture. This picture on the right indicates her horse, Six, after the wolves finished with it. You see the ribs have been stripped completely clean. The hide is laying out here. That's 2 weeks after the picture was made. This is in the Second District of New Mexico.

And for those of you who want the feel-good feeling of releasing the wolves into the wild, let us release them into your daggone area instead of the area of southern New Mexico, where they represent a danger to the people of the Second District. If you aren't willing to take them into your district, then why are you going to spend money to put them in our district and endanger our people?

I would like to draw your attention to another tremendous concern, the Durango pack, particularly the female, AF924, which we speak about, is stalking the home of a young woman named Micha. Micha Miller, not the same, is pictured here. Micha Miller is about 100 yards from her front door pointing to a wolf print that is there in the dirt. What is startling about this picture is the gun which Micha is wearing while she goes about her chores. The Durango pack of wolves have been in and around Micha's house for so long that her parents insist that she carry this gun with her while she does her chores, works or plays in the yard.

I am submitting for the RECORD a letter from Micha asking Congress to end

this program that has put wolves in her front yard.

DEAR CONGRESSMAN PEARCE: I am Micha Noel Miller the 13 year old that has to carry a firearm when I go outside. My parents and I have had the Durango Pack (AF924 & AM 973) in our yard 5 times in the last 6 weeks. I hate the wolves in our yard because I feel that I am trapped in my house! I love to ride my horse, bike and walk around outside. Since the reintroduction of the Mexican Wolf I can no longer due any of these things without being afraid.

When we get home after dark my mom has to go feed our dogs and cats because I'm scared to go outside even though I know the wolves are 6 miles down the road and it doesn't make a difference, I'm still afraid they are coming up behind me. I'm tired of looking over my shoulder and being scared all the time. I have even resorted to carrying a firearm, I'm still frightened of the wolves when they come in my yard.

I have gone hunting with my dad alot. We have called in coyotes and even a bear and I wasn't as scared as I was every time the wolves were in our yard. The coyotes and bears are more scared of you and will run away, but the wolves will just keep coming closer to you. They are not scared of humans!! I have had a wolf within 40 yards of me and I was so scared I couldn't move. My older sister, A.J., came out and scared the wolf off finally.

I have nightmares about the wolves attacking my family & our pets. The Wolf Program says you cannot shoot a wolf if it is attacking your pet on private property. I don't understand how the wolf program expects people to stand by and let the wolves kill their pets and not do anything to stop them. They think the wolves are more important than anything else, including human life!

Congressman Pearce, I wish there was some way you could get the wolf program to remove the wolves. I just want to have a normal childhood where I can go outside and play anytime I want without being armed and worrying about wolves being in my yard.

Thank you for your help,

MICHA MILLER.

Mr. Chairman, we will hear folks that will follow me talk about how healthy wolves have never attacked humans; I would say that they're simply wrong. I will submit for the RECORD a list of recorded attacks by wolves on humans. These include healthy captive wolves, domestically bred wolves and wolf-dog hybrids.

WOLF ATTACKS ON HUMANS

(By T. R. Mader, Research Division)

It has been widely discussed whether a healthy wild wolf has ever attacked a human on this continent. In fact, many say such attacks have never occurred in North America.

History states otherwise. Although attacks on humans are uncommon, they have occurred on this continent, both in the early years of settlement and more recently. Here is one report:

NEW ROCKFORD, DAK, March 7.—The news has just reached here that a father and son, living several miles northeast of this city, were destroyed by wolves yesterday. The two unfortunate men started to a haystack some ten rods from the house to shovel a path around the stack when they were surrounded by wolves and literally eaten alive. The horror-stricken mother was standing at the window with a babe in her arms, a spectator to the terrible death of her husband and son, but was unable to aid them. After they had devoured every flesh from the bones of the men, the denizens of the forest attacked the house, but retired to the hills in a short time. Investigation found nothing but the bones of the husband and son. The family name was Olson. Wolves are more numerous and dangerous now than ever before known in North Dakota. (Saint Paul Daily Globe, March 8, 1888)

Here an account is reported which included an eyewitness and the family name. Some have reasoned the wolves were rabid. That is unlikely as these animals were functioning as a pack. A rabid wolf is a loner. Our research has never found a single historical account of packs of rabid wolves on this continent. Individual animals are the norm. Further, accounts of rabid (hydrophobic) animals were common in that day and were reported as such.

The winters of 1886–1888 were very harsh. Many western ranchers went broke during these years. The harsh winter could have been a factor in the attack.

Noted naturalists documented wolf attacks on humans. John James Audubon, of whom the Audubon Society is named, reported an attack involving 2 Negroes. He records that the men were traveling through a part of Kentucky near the Ohio border in winter. Due to the wild animals in the area the men carried axes on their shoulders as a precaution. While traveling through a heavily forested area, they were attacked by a pack of wolves. Using their axes, they attempted to fight off the wolves. Both men were knocked to the ground and severely wounded. One man was killed. The other dropped his axe and escaped up a tree. There he spent the night. The next morning the man climbed down from the tree. The bones of his friend lay scattered on the snow. Three wolves lay dead. He gathered up the axes and returned home with the news of the event. This incident occurred about 1830. (Audubon, J.J., and Bachman, J.; The Quadrupeds of North America, 3 volumes. New York, 1851–1854)

George Bird Grinnell investigated several reported wolf attacks on humans. He dismissed many reports for lack of evidence. Grinnell did verify one attack.

This occurrence was in northwestern Colorado. An eighteen-year-old girl went out at dusk to bring in some milk cows. She saw a gray wolf on a hill as she went out for the cows. She shouted at the wolf to scare it away and it did not move. She then threw a stone at it to frighten it away. The animal snarled at her shouting and attacked her when she threw the stone at it. The wolf grabbed the girl by the shoulder, threw her to the ground and bit her severely on the arms and legs. She screamed and her brother, who was nearby and armed with a gun, responded to the scene of the attack and killed the wolf. The wolf was a healthy young animal, barely full grown. Grinnell met this girl and examined her. She carried several scars from the attack. This attack occurred in summer about 1881. (Grinnell, G.B.; Trail and Campfire—Wolves and Wolf Nature, New York, 1897)

In 1942, Michael Dusiak, section foreman for the Canadian Pacific Railway, was attacked by a wolf while patrolling a section of track on a speeder (small 4–wheeled open railroad car). Dusiak relates, ''It happened so fast and as it was still very dark, I thought an engine had hit me first. After getting up from out of the snow very quickly, I saw the wolf which was about fifty feet away from me and it was coming towards me, I grabbed the two axes (tools on the speeder), one in each hand and hit the wolf as he jumped at me right in the belly and in doing so lost one axe. Then the wolf started to circle me and got so close to me at times that I hit him with the head of the axe and it was only the wielding of the axe that kept him from me. All this time he was growling and gnashing his teeth. Then he would stop circling me and jump at me and I would hit him with the head of the axe. This happened five times and he kept edging me closer to the woods which was about 70 feet away. We fought this way for about fifteen minutes and I fought to stay out in the open close to the track. I hit him quite often as he came at me very fast and quick and I was trying to hit him a solid blow in the head for I knew if once he got me down it would be my finish. Then in the course of the fight he got me over onto the north side of the track and we fought there for about another ten minutes. Then a west bound train came along travelling about thirty miles an hour and stopped about half a train length west of us and backed up to where we were fighting. The engineer, fireman and brakeman came off the engine armed with picks and other tools, and killed the wolf.''

It should be noted that this wolf was skinned and inspected by an Investigator Crichton, a Conservation Officer. His assessment was that the animal was a young healthy wolf in good condition although it appeared lean. (''A Record of Timber Wolf Attacking a Man,'' JOURNAL OF MAMMOLOGY, Vol. 28, No. 3, August 1947)

Common Man Institute, in cooperation with Abundant Wildlife Society of North America, has done extensive research on wolves and their history for several years. We have gathered evidence on wolf attacks which occurred in North America.

A forester employed by the Province of British Colombia was checking some timber for possible harvest in the 1980s. He was met by a small pack of three wolves. The forester yelled at the wolves to frighten them away. Instead, the wolves came towards him in a threatening manner and he was forced to retreat and climb a nearby tree for safety. The wolves remained at the base of the tree. The forester had a portable radio, but was unable to contact his base, due to distance, until evening. When the call for help came in, two Conservation Officers with the Ministry of Environment were flown to the area by floatplane to rescue the treed forester.

When the Conservation Officers arrived, the forester was still in the tree and one wolf, the apparent leader of the pack, was still at the base of the tree. The officers, armed with shotguns, shot at the wolf and missed. The wolf ran for cover and then started circling and howling near the two officers. After a couple missed shots, the wolf was finally shot and killed.

The wolf tested negative for rabies. It appeared healthy in every respect, but was very lean. The Conservation Officers felt the attack was caused by hunger. (Taped Interviews and a photo of the wolf on file at Abundant Wildlife Society of North America.)

This is but one example from British Colombia. Wolves overran Vancouver Island in the 1980s. Attacks became so common that articles were published in Canadian magazines documenting such attacks. (Copies available upon request.)

Wolf attacks on humans have occurred in national parks, too. In August 1987, a sixteen-year-old girl was bitten by a wild wolf in Algonquin Provincial Park in Ontario. The girl was camping in the park with a youth group and shined a flashlight at the wolf. The wolf reacted to the light by biting the girl on the arm. That bite was not hard and due to the thick sweater and sweatshirt the girl was wearing, she sustained two scratch marks on her arm. The wolf was shot by Natural Resources personnel and tested negative for rabies. (Interview with Ron Tozer, Park Naturalist for Algonquin Provincial Park, 7/25/88.)

Well-known wolf biologist Dr. David Mech took issue with this attack stating it couldn't really be considered an authentic attack since the girl wasn't injured more severely. It was exactly nine years when such an attack would take place.

Algonquin Provincial Park is one of several areas where people are encouraged to ''howl'' at the wolves in hopes of a response from the wild wolves in the area. In August, 1996, the Delventhal family of Pittsburgh, Pennsylvania, were spending a nine-day family vacation in Algonquin and joined a group of Scouts in ''howling'' at the wolves. They were answered by the howl of a solitary wolf.

That night the Delventhals decided to sleep out under the stars. Young Zachariah was dreaming when he suddenly felt excruciating pain in his face. A lone wolf had bit him in the face and was dragging him from his sleeping bag. Zach screamed and Tracy, Zach's Mother, raced to his side and picked him up, saturating her thermal shirt with blood from Zach's wounds.

The wolf stood menacingly less than a yard away. Tracy yelled at her husband, Thom, who leapt from his sleeping bag and charged the wolf. The wolf retreated and then charged at Tracy and Zach. The charges were repeated. Finally the wolfleft. Thom turned a flashlight on 11-year-old Zach and gasped ''Oh, my God!'' ''The boy's face had been ripped open. His nose was crushed. Parts of his mouth and right cheek were torn and dangling. Blood gushed from puncture wounds below his eyes, and the lower part of his right ear was missing.'' Zach was taken to a hospital in Toronto where a plastic surgeon performed four hours of reconstructive surgery. Zach received more than 80 stitches in his face.

Canadian officials baited the Delventhals' campsite and captured and destroyed a 60-lb wild male wolf. No further attacks have occurred since. (Cook, Kathy; ''Night of the Wolf'' READER'S DIGEST, July 1997, pp. 114–119.)

Humans have been attacked by wolves in Alaska. The late David Tobuk carried scars on his face from a wolf attack on him as a small child. The incident occurred around the turn of the century in interior Alaska. David was playing in his village near a river. An old wolf came into the village and bit David in the face and started to carry him off. Other Eskimos saw the wolf dragging the child off and started yelling and screaming. The wolf dropped the child and was shot by an old Eskimo trapper who had a gun. (Interview with Frank Tobuk, brother, Bettles, Alaska, December 1988.)

Paul Tritt, an Athabascan Indian, was attacked by a lone wolf while working a trap line. Paul was setting a snare, looked up and saw a wolf lunging at him. He threw his arm up in front of his face and it was bitten severely by the wolf. A struggle ensued. Tritt was able to get to his sled, grab a gun and kill the wolf. Nathaniel Frank, a companion, helped Tritt wash the wound with warm water. Frank took Tritt, via dog sled, to Fort Yukon to see a doctor. The arm healed, but Tritt never regained full use of it. Several years later, the arm developed problems and had to be amputated. (Interview with Paul Tritt, Venetie, Alaska, November, 1988)

Two wolf attacks on humans occurred in 2000.

Icy Bay, Alaska.—Six-year-old John Stenglein and a nine-year-old friend were playing outside his family's trailer at a logging camp when a wild wolf came out of the woods towards the boys. The boys ran and the wolf attacked young Stenglein from the back, biting him on the back and buttocks. Adults, hearing the boy's screams, came and chased the wolf away. The wolf returned a few moments later and was shot. According to Alaska Department of Fish and Game (ADF&G) officials, the wolf was a healthy wild wolf that apparently attacked without provocation. The boy was flown to Yakutat and recieved stitches there for his wounds. Later, however, the bites became infected and the boy had to be hospitalized. (Reports and Interviews on file and available upon request.)

Vargas Island, British Colombia.—University student, Scott Langevin, 23, was on a kayak trip with friends. They camped out on a beach and, about 1 AM, Langevin awoke with something pulling on his sleeping bag. He looked out and came face to face with a wild wolf. Langevin yelled at the wolf and it attacked, biting him on the hand. Langevin attempted to force the wolf toward a nearby campfire, but as he turned, the wolf jumped on his back and started biting him on the back of his head. Friends, hearing his yells, came to his aid and scared the wolf away. Fifty (50) stitches were required to close the wound on Langevin's head. British Colombia Ministry of Environment officials speculate the reason for the attack was due to the wolves occasionally being fed by humans although there was no evidence that Langevin or any of his party fed these animals. (Reports and Interviews on file and available upon request.)

This is but a brief summary of a few verifiable accounts of attacks on humans by healthy wild wolves in North American history.

Biologists tell us that the wolves of Asia and North America are one and the same species. Wolf attacks are common in many parts of Asia.

The government of India reported more than 100 deaths attributable to wolves in one year during the eighties. (Associated Press, 1985) This author recalls a news report in 1990 in which Iran reported deaths from attacks by wolves.

Rashid Jamsheed, a U.S. trained biologist, was the game director for Iran. He wrote a book entitled ''Big Game Animals of Iran (Persia).'' In it he made several references to wolf attacks on humans. Jamsheed says that for a millennia people have reported wolves attacking and killing humans. In winter, when starving wolves grow bold, they have been known to enter towns and kill people in daylight on the streets. Apparently, in Iran, there are many cases of wolves running off with small children. There is also a story of a mounted and armed policeman (gendarme) being followed by 3 wolves. In time he had to get off his horse to attend to nature's call, leaving his rifle in the scabbard. A later reconstruction at the scene of the gnawed bones and wolf tracks indicated that the horse had bolted and left the man defenseless, whereupon he was killed and eaten.

A Russian Linguist, Will Graves, provided our organization with reports of wolves killing Russian people in many areas of that country. Reports indicate some of the wolves were diseased while others appeared healthy. (Reports on file and available upon request.)

Reports have also come from rural China. The official Zinhua News Agency reported that a peasant woman, Wu Jing, snatched her two daughters from the jaws of a wolf and wrestled with the animal until rescuers arrived. Wu slashed at the wolf with a sickle and it dropped one daughter, but grabbed her sister. It was then Wu wrestled with the animal until herdsmen came and drove the beast away. This incident occurred near Shenyang City, about 380 miles northeast of Beijing. (Chronicle Features, 1992)

The question arises: ''Why so many attacks in Asia and so few in North America?'' Two factors must be considered:

1. The Philosophy of Conservation—Our forefathers always believed that they had the right and obligation to protect their livelihoods. Considerable distance was necessary between man and wolf for the wolf to survive.

2. Firearms—Inexpensive, efficient weapons gave man the upper hand in the protection of his livelihood and for the taking of wolves.

Milton P. Skinner in his book, ''The Yellowstone Nature Book'' (published 1924) wrote, ''Most of the stories we hear of the ferocity of these animals . . . come from Europe. There, they are dangerous because they do not fear man, since they are seldom hunted except by the lords of the manor. In America, the wolves are the same kind, but they have found to their bitter cost that practically every man and boy carries a rifle . . .''

Skinner was correct. The areas of Asia where wolf attacks occur on humans are the same areas where the people have no firearms or other effective means of predator control.

But . . . ''Biologists claim there are no documented cases of healthy wild wolves attacking humans.''

What they really mean is there are no ''documented'' cases by their criteria which excludes historical accounts. Here's an example.

Rabid wolves were a frightening experience in the early years due to their size and the seriousness of being bit, especially before a vaccine was developed. The bitten subject usually died a slow, miserable death. There are numerous accounts of rabid wolves and their activities. Early Army forts have medical records of rabid wolves coming into the posts and biting several people before being killed. Most of the people bitten died slow, horrible deaths. Additionally, early historical writings relate personal accounts. This author recalls one historical account telling of a man being tied to a tree and left to die because of his violent behavior with rabies after being bitten by a wolf. Such deaths left profound impressions on eyewitnesses of those events.

Dr. David Mech, USFWS wolf biologist, states there are no ''documented'' cases of rabid wolves below the fifty seventh latitude north (near Whitehorse, Yukon Territory). When asked what ''documented'' meant, he stated, ''The head of the wolf must be removed, sent to a lab for testing and found to be rabid.''

Those requirements for documentation negate all historical records!

As with rabid wolves, the biologist can say, ''There are no 'documented' cases of wild healthy wolves attacking humans.'' In order to be ''documented'' these unreasonable criteria must be met:

1. The wolf has to be killed, examined and found to be healthy.

2. It must be proven that the wolf was never kept in captivity in its entire life.

3. There must be eyewitnesses to the attack.

4. The person must die from their wounds (bites are generally not considered attacks according to the biologists).

That is a ''documented'' attack.

Such criteria make it very difficult to document any historical account of a wolf attack on a human!

Biologists assume when a wolf attacks a human, that there must be something wrong with the wolf. It's either been in captivity or it's sick or whatever. They don't examine the evidence in an unbiased manner or use historical tests.

Historically, there are four reasons for wolf attacks on humans:

1. Disease such as rabies.

2. Extreme hunger.

3. Familiarity/Disposition—This is an either/or situation. Familiarity is the zoo setting, captive wolves, etc. Disposition is a

particularly aggressive wolf which may not fear man as most wolves do.

4. In the heat of the chase and kill—This is where a hiker, trapper or whoever disturbs a fresh chase and kill by wolves. The person walks into the scene only to be attacked by the wolves.

It is our belief that a predator's fear of man is both instinctive and learned behavior. For example, wolves raised as pets or in zoos are well documented to attack and kill humans.

Alyshia Berzyck, of Minnesota, was attacked and killed by a wolf on a chain on June 3, 1989. The wolf tore up her kidney, liver and bit a hole through her aorta. One month later, on July 1, 1989, Peter Lemke, 5, lost 12 inches of his intestine and colon and suffered bites to his stomach, neck, legs, arms and back in another wolf attack in Kenyon, Minnesota. (Reports on file and available upon request.)

Zoos carry abundant records of wolf attacks on people, particularly children. The child climbs the enclosure fence to pet the ''dog'' and is attacked.

Zoos and domestic settings are unnatural in that they place man and wolf in close proximity and they become accustomed to each other. Consequently attacks occur.

Today predator control is very restricted in scope, and as a result, attacks on humans by predators are becoming more common. In recent years, healthy coyotes in Yellowstone Park have attacked humans. Similar attacks have occurred in the National Parks of Canada.

On January 14, 1991, a healthy mountain lion attacked and killed an eighteen-year-old high school senior, Scott Lancaster, in Idaho Springs, Colorado. The boy was jogging on a jogging path within the city limits of the town when the lion attacked and killed him. (Report on file at Abundant Wildlife Society of North America)

OTHER REPORTED WOLF ATTACKS IN THE WILD

1. Comox Valley, British Colombia—1986—While driving a tractor, Jakob Knopp was followed by three wolves to his barn. They didn't leave, but kept snarling and showing their teeth. Knopp ran to his barn, retreived a rifle and had to shoot two of the three wolves before the third left the area.

2. George Williams, a retired sailor heard a commotion in his chicken coup one night. Thinking it was raccoons he took his single shot 22 rifle and headed for the coup. He rounded his fishing boat and trailer when a wolf leaped at him. He instinctively reacted with a snap shot with the rifle and dropped the wolf. A second wolf came at him before he could reload and George swung the rifle and struck the wolf across the head, stunning it. George retreated to the house until morning and found the wolf he had shot, the other was gone.

3. Clarence Lewis was picking berries on a logging road about a mile from Knopp's farm when he faced four wolves. Lewis yelled at them, two left and the other two advanced towards him. He took a branch and took a couple of threatening steps at them. They went into the brush and stayed close to him. Lewis faced the wolves and walked backward for two miles until he reached his car.

4. Don Hamilton, Conservation Officer at Nanaimo went to investigate a livestock killing by wolves. Wolves had killed a number of sheep in a pasture and Don went out to examine the kills. He came upon the scene and saw a large gray wolf feeding on one of the sheep. The wolf looked at him, growled and started running towards him at full speed. The wolf was over 100 yards away and never broke stride as it approached Don. At approximately 15 feet, Don shot the wolf to stop its attack. Don, who has many years experience with wolves, stated that he was convinced that the wolf was going to attack him because of its growling, snarling and aggressive behavior.

5. In 1947, a man was hunting cougar on Vancouver Island and was attacked by a pack of seven wolves. The man backed against a tree and shot the leader of the pack. The pack instantly tore the animal to shreds while the hunter made his escape.

6. Clarence Lindley was reportedly attacked by a 125-pound timber wolf. The incident occurred in early November, 1992 on the Figure 4 Ranch in Dunn County, North Dakota. Lindley was hunting horseback when the wolf attacked Lindley's horse causing it to jump and fall. Lindley was able to grab his saddle gun, a lever action Winchester 94, as the horse fell. The horse recovered its balance and Lindley found himself face to face with a snarling wolf. ''My heart was pounding,'' said Lindley, ''I could see those big teeth. He was less than five feet away. . . He meant business; he wasn't going to back off.'' Lindley fired his rifle at point blank range and killed the wolf with a shot to the neck. Lindley left the wolf since he couldn't get his horse close to it. On return to his hunting camp, his hunter friends failed to believe the account. They returned to the scene and skinned the wolf. The pelt was a flawless black and gray pelt measuring seven and a half feet from its feet to its snout. Its bottom teeth measured one and a half inches; top teeth—one and a quarter inches. The North Dakota Game and Fish Department (NDGF) confiscated the hide and head of the wolf and took it to the U. S. Fish and Wildlife Service (USFWS) for determination of its species. Tests revealed that the wolf was non-rabid. The wolf was thought to have come from Canada. (Reports on file and available upon request.)

WOLF ATTACKS ON HUMANS (DOMESTIC INCIDENTS)

1. In the 1970s, John Harris, a Californian, toured the nation with ''tame'' wolves to promote public sympathy for preserving wolves. In July, 1975, ''Rocky,'' one of Harris'' wolves, attacked a one-year-old girl by biting her in the face. The girl was brought close to the wolf for a picture, an action encouraged by Harris.

2. In Maryland, a man kept a wolf in his basement and this animal turned and savagely bit and clawed his two-year-old son.

3. In New York City, a wolf bit a woman as it approached her.

4. At a zoo in Idaho, a little girl walked up to a cage housing a wolf and reached through the bars to pet the wolf. The wolf bit the arm. The arm had to be amputated.

5. Mr. Edward Rucciuti, former curator of publications for the New York Zoological Society and author of KILLER ANIMALS, personally witnessed a 12-year-old boy savagely attacked in the Bronx Zoo. This boy climbed a high fence in order to pet the wolves. The wolves (male and 2 females) immediately attacked the boy, ripping at the boy's clothing and flesh. The boy instinctively curled up in a ball, protecting his head, chest and abdomen. He then crawled into the moat in front of the exhibit with the wolves chewing his back and legs. Once the boy made it to the water, the wolves ceased their attack. The boy crawled out of the moat and collapsed. Mr. Rucciuti was amazed that the boy was still alive due to the severity of the bites.

6. San Diego Zoo (1971) A 15-year-old boy climbed the fence and tried to take a shortcut across the exhibit. He didn't know there were wolves in the exhibit and tried to run when he saw them. The wolves grabbed him by the leg attempting to drag him off. The boy grabbed a tree and hung on. Two bystanders jumped in the enclosure and attacked the wolves with tree branches. The wolves did not attack the two men, but continued to maul the boy. Dragging the boy and swinging their clubs, the boy was pulled out of the enclosure. The wolves in the enclosure were all young animals and it was thought that if the animals were mature, the boy would have died before being rescued.

7. A few months after the attack on the boy (#6), a man scaled the fence and swung his arms in the exhibit to get the attention of the wolves and got it by being bitten severely on both arms.

8. 1973—Another boy tried to cross the same compound and was attacked, a security guard shot and killed one of the wolves, and the other fled as the boy was pulled to safety.

9. 1975—Small zoo in Worcester, Massachusetts, a two-year-old lad was savagely bitten on the leg when it slipped through an enclosure opening. The boy's mother and 2 men could not pull the boy free. The wolves did not stop ripping the boy's leg apart until a railroad tie was thrown in the midst ofthe wolves.

10. 1978—A wolf bit a child in Story, Wyoming. The wolfwas penned at a local veterinary clinic for observation. During that time, the wolf escaped its pen and killed a young calf. Wyoming law prohibits the keeping of wild animals as pets, so the animal was shipped to Ohio, where it had come from. The owner of the wolf went to Ohio and brought the wolf back to Wheatland, Wyoming. It was reported the wolf attacked and killed a child in that area shortly thereafter.

11. September, 1981—A two-year-old boy was mauled to death by an 80-lb, 3-year old female wolf in Ft. Wayne, Michigan. The boy wandered within the chain length of the wolf.

12. August 2, 1986 (Fergus Falls, Minnesota)—A 17-month-old boy reached and grabbed the fencing which kept his father's pet wolves enclosed. One wolf immediately grabbed the boy's hand and bit it off. The mother was at the scene and received lacerations freeing the child from the wolf.

13. July 1988 (Minnesota Zoo)—A teenage volunteer reached through the wire fence to pet a wolf and was bitten. The wolf was put to sleep and tested for rabies negative.

14. May 15, 1989—2-year-old Timothy Bajinski was bitten by a wolf hybrid in his mother's Staten Island, New York backyard. Mrs. Bajinski has been charged with keeping a wild animal.

15. May 1989—Lucas Wilken was bitten by two wolf hybrids in Adams County, CO (Denver Area).

16. June 3, 1989—Three year old Alyshia Berczyk was attacked and killed by a wolf in Forest Lake, Minnesota. The wolf had bitten her severely and had injured her kidneys, liver and bit through her aorta. Alyshia was playing in a backyard when she got too close to the chained wolf that grabbed her dress and pulled her down, attacking her.

17. July 1, 1989 (Kenyon, Minnesota)—Peter Lemke, age 5, attempted to pet a chained wolf and was attacked. He lost 12 inches of his intestine and colon, suffered a tear in his stomach, and bite wounds on his arms, legs, buttocks and neck. While being life-flighted to the hospital, Pete arrested 3 times but was saved by medical personnel. The Lemkes have incurred over $200,000 in hospital bills. Pete has a colostomy bag, but doctors are hopeful they can re-attach his colon and get it to function normally in later surgeries.

18. September 3, 1989—A wolf and a dog entered a corral belonging to Leona Geppfart of Caldwell, ID and attacked a 6-month-old 400-pound Hereford calf. Geppfart attempted to scare the animals away and they turned on her and she retreated to her house. A short

time later, a law enforcement officer arrived and as he approached the corral, the wolf lunged at him. The officer stopped the animal with his shotgun.

Note: This list of wolf attacks is by no means exhaustive. They are simply listed to show that attacks have occurred both in the wild and other settings.

Furthermore, while attacks by healthy wolves may not be common, the deep concern for wolves which have contracted rabies is a real threat. Right now, in Catron County, New Mexico, which is the heart of the wolf program, we have had new outbreaks of rabies among foxes. As everyone who has seen Old Yeller knows, rabies is a devastating disease which can cause tremendous harm. Because of the proximity of wolves to the population of New Mexico this year, the Fish and Wildlife Service took the extraordinary step of publishing a wolf tip card. Now, for the Fish and Wildlife Service to put out a card and distribute it in your district telling you to be careful and telling you what to do if you come up against one of these threats, you would feel that it should not be happening in your district.

Mr. PEARCE. Madam Speaker, the following material are letters I have received from my constituents and other concerned citizens of southwestern New Mexico and southeastern Arizona regarding the reintroduction of the Mexican Wolf.

Since the reintroduction of the Mexican Wolf in 1998, the residents of my Congressional District have been plagued by problems associated with the release. Not only do ranchers suffer economic hardship due to wolves preying on their livestock, but countless family pets have been lost including dogs and horses. As the wolves become less afraid of man every year, I fear they will eventually prey upon humans.

To date, the program has yielded 58 wolves, 20 percent of which will be removed as problem animals, at a $14 million cost to the taxpayers. That is $242,000 spent per wolf.

These are some of our wolf experiences in the past 7.5 years. I don't think we have had a decent nights sleep since this program began.

2003—Wolf notes Monday May 19 to Tuesday May 28.

TUESDAY, MAY 20, 2003 12:42 p.m.

Subject: wolves are back

No sooner that I griped to the Game Commission's about the release of our old friend from the Campbell Blue pack, F 592 into the wilderness again that she shows up here again. John Oakleaf called last May 19 about 9 p.m. with the happy news that they were with our cows and calves.

We were missing 2 calves since Friday and wolf tracks are everywhere but everything was OK when I checked this morning and this afternoon nothing but tracks. Life gets just a whole lot more complicated with them around. How many times can you say I told you so to the FWS, they can't stop believing that releasing heavily pregnant wolves into the Wilderness will keep them there, it doesn't and it hasn't and it never will. Changing the name just buffalo's the public into thinking there are new wolves out there. The new name for F 592 and her new mate was the Sycamore pack. The only good news is she should have had her puppies last week or maybe two weeks ago and she probably killed them if she traveled this far.

Ivy, my 14 year old daughter rode her paint mare up to the top of the hill by the house this morning like she always does and met up with both wolves. She said they wouldn't leave her alone and squared off with her at about 30 feet away. She didn't want to turn her back on them so she shot and reloaded and shot her single shot 22 off in the air a couple times and they finally scuttled down the hill into Turkey Run in front of her.

She was pretty excited and not a little scared when she came in. I on the other hand am livid and a lot scared. My kids shouldn't have to be held up by a pair of wolves on a ride ¼ mile from the house.

LAURA.

WEDNESDAY, MAY 21, 2003 1:17 p.m.

Subject: wolf update Rafter Spear 5–20&21

We caught them on the cows and calves last evening May 20, 2003 around 7 p.m. and they had them bunched up trying to get a calf out the calves were either crying or sucking, we were just in time. We ran them off all of 50 feet and started driving the cows down the canyon on foot.

I left Matt with the cows and the 30–30 and went up the other canyon to check the other cows. On the way, I met Dan the wolf guy and told him to hurry up, the wolves were following Matt and he might just have to shoot one since they are following him so close. I stopped at the house to get a blanket for Miles since it was getting cold and he was asleep in the jeep, thank goodness. I also told the girls to saddle up and go help dad move those cows. Which they did.

Over the ridge I found a bagged up cow with wolf tracks nearby and all the other cows were far enough up the other canyon and still all right with no sign of wolf activity around them. I went on to 74 and check the other cattle thankfully the wolves hadn't been there yet.

By the time I got back to the turnoff to the house, where Matt and the girls left the cows, Matt was way off ahead on the road home and Dan was parked in the flat near the turnoff to our house with our cows. I picked up Matt and he said to go back and let him talk to Dan. He didn't apologize for yelling at him earlier but let it be known he didn't totally blame Dan for the situation. Dan said he was going to stay in the cows all night and we told him to come to the house and eat first. He said OK.

He called an hour later {satellite phone} and said the wolves were in the calves again and he wasn't coming in to eat. By then it was 10 p.m. so I made him supper and coffee and we took it out to him. He said they were all over the cows and calves and howling at him because they were frustrated and he was firing rubber bullets at them. He only had enough light to set one trap though. Since he was OK we went home to sleep because after learning they were in the cattle the night before we pretty much stayed awake all night.

Woke up at 4 a.m. finally got up at 4:30 and Dan showed up at 5:15 with some good news, he caught the male about 20 minutes before in the single trap he had managed to set the evening before. Apparently Dan has been improving as a trapper since our Dec. 99 experience with Campbell Blue pack which included F 592.

Melissa, Ted Turners wolf biologist, was 3 hours away with a cage so we called our neighbor Jack Diamond and he sent his wife Kaye over with a kennel to put the trapped wolf in.

We went back out and the female was still there with the male but not very close, it was breaking daylight by then. Dan gave the wolf a light sedative type drug so he would relax and not hurt himself in the trap. Matt went to check the cows in 74 where I had gone that night and I waited with Dan in case Kaye got there and Dan needed help loading the wolf. She did and Matt and Dan loaded him into the kennel right about the time Melissa showed up, so we sent that wolf home to Sevilletta. I made Dan keep Melissa's kennel in case 592 was caught.

The female 592 ran off but I am sure she stayed somewhere nearby, Dan looked around for her and then tried to sleep a few hours during the day they aren't very active, thank goodness. The wolves had run him from calf to calf and canyon to canyon last night and he didn't get much rest I am just grateful it wasn't me but I may get a turn tonight. These livestock killers and problem wolves should not be turned out at all. 592 is the major stock killer of the pair and they were determined to get a calf. Dan didn't let them and they actually howled at him about it. But they did manage to bite at least two calves before he could hit them with rubber bullets which seemed to have little effect.

We are missing two calves one since about last Friday and one since Monday but haven't found any wolf poop yet to see what is up with that. Probably won't be confirmed though. One was about a week old and one was born Saturday to a cow that has never lost a calf, Matt saw it Sunday evening and it was fine then.

Mad as we are about all this at least we had competent help and we are grateful for that. Why the hell they are re-releasing stock killers is beyond me. It is plain dumb and only makes the program look bad.

LAURA.

Update: wolves at the rafter spear 5–21–5–23

The last few days the wolf story has slowed down a lot but the aftermath is still ongoing. After trapping the male, the female took off and is about 6 miles to the SW at last flight on Thursday. There are traps everywhere in preparation for her return. I understand they are trapping for her because of the incident with Ivy not the calf killing. I don't care why but glad to hear there is a limit to how badly they can accost our kids. Nick Smith and Dan Stark also have a permit to shoot her if they have to.

My problem is, this animal has a history here and has absolutely no fear it has menaced my daughter and followed my husband, who is not menaceable, or at least he thought he wasn't until he was followed by wolves he was not allowed to shoot. Together they killed and ate two calves before we knew they were here and two bitten calves, they are swelled up and crippled we have shaved measured and taken pictures.

One has more bites, on the flanks, side and head but they are superficial, the calf is in quite a bit of distress from bruising but hopefully will be fine. I imagine the times when Dan heard the cows get up and shined the spotlight on them and saw the wolf, he stopped the attacks. The next day there was a calf with a swollen front knee in the same bunch, after shaving we found wolf bites on the front and back legs. The knee is hot and three times bigger than the other, the wound on it is superficial but the trauma caused the swelling is severe and this calf may be ruined. Both calves were in the bunch Dan guarded Tuesday night. If he hadn't been there would probably be 4 missing calves and four tight bagged cows. I am glad he got to experience the mayhem one pair of wolves can attempt to wreck in just 12 hours.

On a side note there is another injury from a calf caught in a trap this morning, nobody is to blame for that, We are grateful to have the traps out, but still, another injury.

There was a small bunch of 11 cows and calves that were harassed by the pair, not including the two that lost the calves.

It has been some week. I have a dramatic picture for every day of the week. Yesterday the FS backburned from behind my house and it was pretty scary kind of like a volcano going off on your back door. The results

should be good though. We had good representation from our government yesterday though. FWS, FS RITF and APHIS all on the porch at once. If we can find a piece of the space shuttle maybe NASA will come pay us a visit.

It is hard to know where to begin since our emotions have run the gamut the past few days. Traps were set Tuesday after the male was caught and the female left for several days, she ended up on the Diamond Bar where Nick Smith tracked her for several days. He found one bitten calf probably from the trip over here a week prior. The calf was a month or two old so that is probably why they were still shy about killing it and staying there.

The weekend was pretty good though, I went to town, 74 miles away on Saturday and bought groceries so the guys could be fed halfway decently while they worked and believe me they worked. Matt took Miles, he is 5 and clipped cages below the house and Dan checked his traps and made a 20 mile circle hiking into diamond creek on foot trying to get a signal. He was unsuccessful but Nick Smith found her signal later that night west of the Links camp on the Diamond Bar. On Sunday, Matt and Dan rode into Round Mountain and packed salt. That afternoon everyone rested a bit between checking traps and gardening, painting, watching Kristie and her boyfriend and various other normal pursuits.

She was back here Monday morning. Dan woke up checked his equipment, got a signal and took off. When I checked cows that day I got a signal that seemed pretty strong right in the cows up 74 draw and Dan's truck was nearby. She pretty much stayed there all day with Dan tracking her along with Nick Smith who came in to help him. Dan came in that evening to make some phone calls and get something to eat. While he was on the phone, Matt and I went out and looked after the cows, one of us on either end of the bunch. She was there the whole time but we didn't have a directional antenna and felt our job was to look after the cows not the wolf.

Monday night and Tuesday, yesterday. Dan was up all night with her, most of the cattle were west about a mile he felt OK about leaving her alone until light, really there wasn't much choice since she didn't seem to be doing anything but hanging out in that area and it was pretty thick. Near morning he could hear coyotes making a heck of a ruckus in the draw she was up and thought that it was weird since he has been taught all his life that such wolf/coyote fraternizing behavior was abnormal.

He hadn't remembered or taken us seriously when we had told him the coyotes saved her life in the winter of 1999/2000 when she was here last. She had nearly starved to death until she started hanging around with the coyotes. Kristie who was 15 at the time had ridden up on her and the wolf followed her part way back to the house. Kristie was really mad because she could see the wolf was half dead from hunger and going bald. It was so cold that winter she would cry on the mountain behind the house and we would hear her at night. She was there for 5 months until she moved to the neighbors on Canyon Creek and killed her first calf. Later that summer she moved to the Adobe which is north of us met with her old mate and really went to killing cattle. Those coyotes saved her life though and she was used to being around them.

Anyway, Dan hiked into the draw to see what was up as soon as there was enough light and a cow with a full bag of milk met him on his way in. The bad news is 592 was on a cow that had calved a day or two before and she had killed the calf. The coyotes had found her and were trying to steal the carcass from her. He ran both the wolf and the coyotes, off the calf, found two pieces and packed them to the truck and brought them in to the house put them in the barn and called Wildlife Services. As Dan has found out, sometimes there is just nothing you can do about the killing even when you are watching just as close as you can and not sleeping or eating to do it. The wolf has every advantage even if you do have the technology. We were very lucky he found any remains of this calf.

The calf was killed by the wolf, Wildlife Services verified it the hemorrhaging was way too bad to be coyote and the bite marks measured out. At least the few that weren't eaten away. The calf was in two pieces it was a new heifer and had walked on it's feet quite a bit before it was killed. The cow was one we were concerned about because she had taken off to have the calf as they all do. Apparently she didn't hide well enough to fool the wolf. But as Dan can attest to, she was hidden from all human eyes pretty darned well.

I had to go to Winston and get gas, so I took Dan and Nick some Orange juice that afternoon, Dan looked like crap and they were still tracking her. Dan was waiting for Nick to radio him and was trying to catch a catnap under the truck when I pulled up, so much for that nap. Johnny Anglin with Wildlife Services arrived the same time I did. We left them to their business about 30 min later. On my way home I found a brand new calf in the same bunch of cows that the wolf had been living with the past couple days. I took pictures of it in case the calf showed up on a milk carton in the next day or two. The cow was eating her afterbirth in the pictures so she was doing her best to keep baby safe instinct is an amazing thing. It was a big old baby too.

The wolf was shot this evening, the poor little old thing was laid out on the tailgate. She had big feet, a big head and big teeth and an extremely full belly. She did have a really ugly unhealthy looking coat in my opinion for something that had only come out of captivity a few weeks earlier. It had done nothing but follow her own survival instinct as successfully as possible. This was a dumb mistake and a bad situation that didn't have to happen.

We all spent a week living and breathing this tragedy that resulted in three dead calves, 3 wolf injured calves a bunch of stressed out people one trapped wolf and one pathetic shot wolf. It cost us a full week away from earning any income milling and we are way behind, broke and extremely tired. It cost Dan his peace of mind and taught him the hard way what we have to deal with. Thankfully he retained his integrity in spite of the mess and stress going on all around him.

Thank goodness it is over for now. However I know the Francisco Pack will be re-released soon and am sure the same set of problems on a larger scale will be imminent as soon as that release takes place. Re-releasing habitual stock killers is poor management and is only asking for trouble. Unfortunately so many of the employees agree with the environmentalists that the wolves should be out on the ground no matter how many of our cows they kill so they just keep using problem and habituated wolves in the program. When the wolf kills too many cattle they just re-write their policy to allow them to leave it out longer and hurt us ranchers more.

Update: June 5, Sherry Laney found a calf with a big bite in it's behind the bite is 1 and ½ inches, wolf width. It is healing but mildly infected. I guess she wasn't so shy over there after all.

JUNE 2004.

A single wolf has been moving around 74 draw all month. Matt found a small calf with his hind end totally mauled. We already had his mother here at the house, that cow never ever loses a calf so Matt had been looking for the calf, the calf found him actually ran to him bawling for help. We cut away the dead and infected flesh and found bites in all the same places as last years calves, WS came out but they didn't do a thorough job examining it. I was gone so nobody insisted on a thorough job like I would have. I did it myself later. This is a wolf attack the bites measure out and the injuries are in the same place and there were wolf tracks.

People don't realize wolves are not efficient killers and they aren't at all humane about what they do. They simply get something down and start eating and the prey dies of shock and blood loss. It is very difficult for someone who raises livestock to see their hard work tortured to death in this manner, especially the pregnant cows and the baby calves. This wolf was inexperienced and the calf got away. He nearly died of the infection though and weighed about 150 pounds less than the other calves. I guess when he finally went to the market he was considered a wolf friendly beef.

Summer 2005 wolf tracks up and down 74 draw again. Watching all the cattle all the time no time for school or anything else. Kristie got married in July so we are glad the wolves didn't show up until after the wedding anyway. No kills that we know of except to a bear which we were allowed to take care of so that ended that problem.

OCTOBER 2006.

At least two separate wolves moving in and out of the area. These wolves do not have tracking collars. FWS will not investigate. WS showed up and documented tracks so we can do something if there is a kill. Nothing so far that we were able to find just a lot of lost time and a huge amount of fuel again. Bought two Pyreneese pups in September, we can't afford to feed them but we have to do something progressive.

We have also purchased water rights and are going to the huge expense of putting an irrigation system into the old fields on this place so we can bring cows into the deeded land if necessary and wolves get into them again. We have to be able to defend our cattle and the rules only allow us to do so if they are on deeded land.

We have also built kennels at a 4000 dollar cost that we also cannot afford but we can't allow wolves to come into the deeded land and kill our valuable cow dogs. We can't operate in this rough country without them.

DECEMBER 26, 2006.

Pyraneese puppies who are 5 months old now gone. The other one is hiding under the porch and there are wolf tracks everywhere. We had them penned up in the yard but they found a way out. The kids are devastated. We looked everywhere but the puppy is gone. The wolf just carried him off. All that dog food we have in him wasted all those kid hugs and effort just eaten up like it was nothing.

We will have to replace him, his brother can't be alone with these animals around. I guess we just have to get used to living with death and destruction and still we are supposed to be happy people and living under the requirements of the law. It is sickening.

2007.

June 11 on our way home from town we saw three wolves, one had a collar but two did not. They were in Brian Carters cows on the side of the road just about two miles from the Poverty creek subdivision. They were just laying in the tall grass with the cattle waiting for it to get a little darker. Matt and I ran them off the cows and called

our neighbors to tell them the wolves were in the cows. It didn't help, the next day we went over with our monitor and there was no signal for the collared animal so he is probably has a non functioning collar. This is a whole other pack FWS do not believe exist.

Found wolf poop two different piles of it. One had calf teeth in it. FWS never even bothered to come out or do anything at all and there is no telling where these animals are now.

Our closest neighbor Jack Diamond has the horse killing aspen pack on him in his roughest pasture they are having pups there and are now feeding his yearlings to the pups. I went over and gave moral support while they confirmed the first kill that the Diamonds were able to find. They are out there every day but like I said it is rough country and they won't know how many they lost until it is time to ship the yearlings.

Nearly 2 year old heifer eaten alive at water tank on Diamond's place. All three wolves involved only the male has a strike towards removal. The rule doesn't say only one wolf gets the strike. FWS are cheating the people out here of proper and fair management to leave killer wolves out on the ground.

MAY/JUNE 07.

I once again have two sets of wolf tracks and no signal in our cow pasture. I am watching the cattle like a hawk.

The Boy Scout camp has moved in and that seemed to have driven the animals out for now. Now I am just worried sick about the kids so I warned, mentioned is a better word the wolves to the scoutmasters. How do you tell them that wolves that attacked a dog in front of an 8 year old girl are here within a half days walk of your camp. I didn't tell them all that, didn't want them to feel uncomfortable out here. I want them out here while it is still possible, within a year or two, nobody will be comfortable camping out here with kids. So I told them to come and use my phone for anything they needed and I am checking in on them every day or two. It is nerve wracking but they are making quite a bit of noise so things should be ok.

We are exhausted and financially strapped from all the re-vamping of our operation and we are demoralized by all the un-collared wolves we are seeing and finding tracks for. Mostly it is so disheartening that nobody even cares about our neighbors and ourselves. That we are all going broke supporting this program and those kids running it are getting huge salaries and don't end up losing anything, ever. Why us why is it our responsibility to shoulder this program's foolishness? Why are we being allowed to go bankrupt? Why can't I finish my college education? Why can't my youngest daughter go off to school too? She feels like she needs to be here to help us keep our home and help us keep our family ranch in business.

My son never got to be raised at the creek playing with minnows and frogs like his sisters did before wolves. He hasn't gotten to ride with his dad hardly at all either, he just turned 9 and his whole life has been affected by wolves. At least our girls were able to be raised out here the way we intended. Our son is locked into a yard and has to be watched constantly.

I have to attend every single meeting I can scrape together gas money for, and we can't afford to any more. But if we don't go, FWS and the groups that support this program and who get paychecks to go to these meetings will come up with another plan to harm us further.

I pray every night that this program will go away, before it is too late for us before it is too late for the game and the whole country is too dangerous to live in the way it used to be.

Sincerely

LAURA.

MARCH 14, 2007.

Subject: Grant County Farm and Livestock Bureau urging support for a Grant County Commissioners' wolf management resolution or ordinance.

GRANT COUNTY COMMISSIONERS,
Grant County Administrative Center,
Silver City, NM.

On behalf of the Grant County Farm and Livestock Bureau, this letter is written in support of Grant County Commissioners passing a resolution or ordinance that will uphold the Constitutional rights, insure citizens safety and reduce the economic impact of the introduction of the Mexican Grey wolf into Grant County.

As the Government closest to the people, the county is obligated to take a stand on how the wolf introduction project is operated within their jurisdiction so that the following problems are overseen. Property rights (compensation for any losses due to the wolves), safety for human lives, public health concerns such as rabies, and to insure that rural economic pursuits are not jeopardized.

Active participation of the county commissioners and county law enforcement personnel with the U.S. Fish and Wildlife Service and the New Mexico Game and Fish Department is absolutely necessary in order to manage the wolf introductions and insure that Grant County citizens rights are not violated. In the final analysis we feel very strongly that there is no animal on this planet worth the life of a single child. It is the right and responsibility of Grant County Commissioners to insure that the lives of our children are never at risk from wolves.

Sincerely,

JOHN C. YORK,
President.

WOLF SIGHTING ON THE N CROSS RANCH

On March 13, 2007, between 7:15 and 7:45 a.m., I Ryan Jameson had a threatening encounter with several Mexican Grey Wolves. I was working on the N Cross Ranch in Cliff, New Mexico, and beginning to saddle a horse at our barn. All seven of the horses were in the stalls, when suddenly they began frantically snorting and stomping. I looked towards the south and noticed that several objects were running due west, approximately 150 to 200 yards away from the barn. As I continued watching, I realized that the moving objects were a pack of wolves! I was filled with fury as I watched these ferocious animals sprint directly towards two of our bulls. I knew that I had to take control immediately in order to not only protect these two defenseless bulls, but also the other twenty-two three- to six-year-old bulls in Pitt's Pasture. I jumped on the four-wheeler, rushed up to my grandmother's house, and got a means of protection. Then just as quickly as I had come, I raced back towards the area in which I had spotted the wolves. My goal was to run them off of our bulls as quickly as possible. As I neared their location, I noticed that five wolves were circling the two bulls. I decided to go at them head on, which caused two of the predators to break off. However, three of the wolves persisted and continued circling. They did not break away until I was only about twenty yards away. Two of the wolves then headed northwest towards my grandparents' house. Luckily I was able to redirect them towards the direction of the other three wolves, after alarming them with my hollering and the four-wheeler. Next the wolves went under a nearby fence, into Pitt's Pasture. After dismounting from the four-wheeler, I jumped over this same fence. This maneuver made me a barrier between the five wolves and the bulls. At this point I was only about ten to fifteen feet away from the dangerous pack, and I realized that they all looked full as if they had just come from a kill. I began shouting and waving my arms, and slowly four of the wolves ran away. The fifth wolf lurked behind the others; though, and he confidently stared right at me. I stood my ground and continued creating a ruckus, which caused the animal to trot in the same direction as the others. The five wolves climbed to the top of a hill and sprawled under a tree.

I knew that I should proceed by reporting the incident to the officials; however, I did not want to lose contact with the pack. I had to be sure that they did not cause any further damage to our cattle. After riding the four-wheeler back to my grandparents' house, I called my grandfather and mother, inquiring about which officials I should call. They informed me that they would make all of the necessary calls, and I was instructed to watch the wolves very closely. We did not want the wild animals to attack any of our cattle. The wolves were close enough to my grandparents' house that I was able to watch them from this location. This is exactly what I did for about twenty minutes. During this time the wolves were sniffing around and moving amongst the trees on the hill. However, they then began to move out over the hill, which prevented me from seeing them. I immediately got back on the four-wheeler and raced to the top of the hill, in order to be sure that the predators were not harassing or harming any of the cattle in Pitt's Pasture. When I arrived at the top of the hill, the wolves were only about fifteen to twenty feet away and four of them were already circling three bulls. I jumped off the four-wheeler and ran towards these wolves. They eventually broke off and trotted away from the scene. However, as I looked over my shoulder I noticed that the fifth wolf was only about six feet away and was circling me. The male wolf was in a crouching position and its hair was standing on end. After it did about three-fourths of a circle around me, I charged the wild animal. This seemed to be my only choice as I was overwhelmed with fear for my life. As soon as I began to charge, the wolf trotted off towards the other four wolves. I ran to my four-wheeler, in hopes to catch up with the pack. I wanted to see where they were headed, but unfortunately I lost sight of them.

Two hours after this horrific incident, a plane flew over our ranch in the exact direction that the wolf pack had run off to. The plane made three to five tight circles above this area. I was for certain that the person or people in the plane were tracking the wolves, because I had seen a collar on one of the wolves. I also believe that the other four wolves wore collars as well. However, due to the emotional intensity of the events, I was not focusing on specific characteristics of the wolves or their collars. I was intent on protecting our livestock!

Later in the day, about early to mid afternoon, a USDA official, Pat Finch, came out to our ranch to investigate the wolf incident. I took him to the location of the first encounter with the wolves, which was nearby the barn. Mr. Finch examined and measured the tracks. I recall these measurements being roughly 4.5 inches long by 3.5 inches wide. He then stated that the tracks were wolf tracks. At this point I told him the unforgettable story that I have recorded here. My family has yet to hear any further information regarding the Mexican Grey Wolves.

There has not been a single government official contact us since the day of our encounter with these threatening animals, March 13, 2007.

RYAN T. JAMESON.

MONDAY, JUNE 4, 2007

From: Jim Taylor.
Subject: Wolf program cost.

We are involved in a small mother-cow operation, and fortunately are fairly well removed from the areas wolves have been introduced to. However, we did sight a pair on our property (17 miles east of T or C, NM) and this sighting was confirmed by our neighbors to the east of us and all the way south to the Cutter area.

We reported this sighting to US fish and game—several months later, one of their reps came by asking about the sighting . . . as if they really cared. We attended one ''wolf meeting'' in T or C—hosted by fish and game I guess. Forest Svc, State fish and game, US fish&game, and some more reps from other govt agencies there. I did some rough, unqualified math in my head in relation to what all these talking heads with the govt agencies were making (salaries, expenses, transportation, etc) then added what their employees (field grunts) were making—then the cost of equipment, feed, medicine, etc, then the scariest part—what their bosses (the politicians, lobbies, and other general carpet baggers) were milking us (the tax paying public) for.

I stated to the chair of that meeting that I surely didnt begrudge anybody employment, but I felt our tax dollars—and their educations, could certainly be put to better use than feeding a bunch of wild dogs. Seemed pretty darn silly to be messing with obsolete evolution while we have so many socio-economic challenges in this country—(the homeless, the hungry, the uninsured, just to scratch the surface). Instead of feeding a wild dog, why not channel that money and all the ''brain power'' these wolf activists and their lackeys control to a very evident and more worthwhile endeavor. I dont like the tax burden I carry, but if I've got to pay those taxes, I hate to see them squandered on the wolves. From where I sit, the whole program stinks—I think it's about how many dollars the carpet bagging activists can garner, and the wolves are no more than a vehicle for them to reach that end. And at the taxpayers expense.

I also believe the wolf program is a poorly masked assault on the livestock industry and possibly even conspires to a future land grab, as ranchers are forced out of business. Sorry, but I cant find much nice to say about the program.

JIM TAYLOR,
Engle, NM.

FRIDAY, JUNE 15, 2007 12:46 P.M.

From: Micha Miller,
Subject: Letter about wolves

DEAR MR. PEARCE: I am Micha Noel Miller the 13 year old that has to carry a firearm when I go outside. We, my parents & I, have had the Durango Pack (AF924 & AM 973) in our yard 5 time in the last 6 weeks. I hate the wolves in our yard because I feel that I am trapped in my house! I love to ride my horse & bike & walk around outside, for that I wish we could get the wolves out permantly!

When we get home after dark my mom has to go feed our dogs & cats because I'm scared to go outside even though I know the wolves are 6 miles down the road & it doesn't make a difference, I'm still afraid they are coming up behind me. I'm tired of looking over my shoulder & being scared all the time. Even carrying a firearm I'm still frightened of the wolves when they come in my yard.

I have gone hunting with my dad alot. We have called in coyotes & even a bear & I wasn't as scared as I was everytime the wolves were in our yard. The coyotes & bears are more scared of you & will run away, but the wolves will just keep coming closer to you. They are not scared of humans!! I have had a wolf within 40 yards of me & I was so scared I couldn't move. My older sister, A.J., came out & scared the wolf off finally.

I have nightmares about the wolves attacking my family & our pets. The Wolf Program says you cannot shoot a wolf if it attacking your pet on private property. I don't understand how the wolf program expects people to stand by & let the wolves kill their pets & not do anything to stop them. They think the wolves are more important than anything else, including a human life!

I wish there was someway you could get the wolf program to remove the wolves. I just want to have a normal childhood where I can go outside & play anytime I want without being armed & worrying about wolves being in my yard.

Thank you for your help,

MICHA MILLER.

FRIDAY, JUNE 15, 2007 3:59 P.M.

Subject: Mexican Gray Wolf

I would like to share with you my out look on the Mexican Gray Wolf. It makes me sick to see what damage this program of Dumping the Wolf off here on the New Mexico and Arizona border has done, I don't see how this got passed because there is not but two people here in Reserve NM. that I have talked to that would even consider this wrong doing, Why didn't the people in the surrounding towns and Ranches get to vote on this matter?

The Cost to the American people for this wrong doing is way over its bounds when you want to give this matter some real down home thought. . . . What were the Endangered Species Act and The Defenders of Wildlife thinking Let alone our elected officials doing? Thinking back that was about the time Bill Clinton and Monica Lewinsky was spending too much time in the oral office, What was all the other elected officials doing at that time? Makes me wonder. When this Wolf matter should of been the main topic, instead of watching our President stand before America and lie like he did on television about his affair with Monica.

What is going to be done about this Wolf Reintroduction Program, that should be called Dumping the Wolf along the NM./AZ. border. There was a lot more food for the Wolf a 100 yrs. ago and the Wolf didn't make it then, Why is it that the Organizations that got the wolf dumped here now seem to have over looked this part, are they going to bring back the Buffalo that use to run on the ranges back to? The wolf is going to need a large food source soon from the way I see things, The wolf and all other predators are over taking what use to be. The poison that use to keep the predators thinned down is no longer used now and there should of been some other means of taking care of this problem, Now the Wolf is here eating and killing what few Deer there is left and the Elk, What is going to happen when the Elk herds keep falling off? Is that just OK because the Wolf needs to eat to. I feel that the groups that wanted the Wolf here should make some other means of feeding it, there use to be over 50,000 head of sheep in the Gila National Forest surroundings and now there is nowhere that amount, The Deer are all but gone as to what use to be here even 10 yrs ago. Since the Organization's of Organized Crime that got the Wolf Dumped off here along the NM. AZ. border, Why don't they bring back the Dinosaur's, Buffalo. I would rather see Charles Manson back cruising the streets of LA. California. And Grizzly Bears in Time Square NY. my self, it would keep crime rate down.

Any Way you want to look at this matter our country is not doing good when a Group of people can dictate what goes on here in the South West and not even live here, It is wrong. Why don't they put the Wolf in there own back yard or keep them in the pen next to where the Buffalo that use to Rome here are being kept, and continue to hand feed the Wolf that didn't make it 100 yrs ago and will not make it now, if you look at this with common sense, the Wolf is going to run out of food to eat!!! Then What?

Some people say that the Wolf wont attack humans well there is a book out that will give you a different out look on this matter it is called Wolves in Russia and you can get your copy at www.wolvesinrussia.com http://www.wolvesinrussia.com/

I'm very disappointed in how the Wolf Dumping went, and I feel this matter is going to get a lot worse before it gets any better, What do you think is going to happen when little red riding hood or little johnny gets off the school bus and gets attacked by the Big Bad Wolf on there way home from school? then what do you think is going to happen, How long is it going take for the American people that have to live with this situation everyday and wake up some morning and decide to take the Law into there own hands? What is going to stop everybody that lives in surrounding towns to get together and decide to open a wolf hunt and everyone go wolf hunting?

How would you like to wake up and have Wolves around your house all day waiting to attack the family pet/livestock,

When the Wolf gets hungry enough there is nothing going to stop it from killing what ever it can to stay alive, That could be a good time for all the Organizations and People that wanted and got the Wolf here for them to go on a family camping trip to see there first wolf in the wilderness and to here there first wolf howl, they will have to get out from behind there desk. I sure hope they bring plenty of dog food and leave there guns at home, Just maybe they can have there first hands on situation with a pack of Wolves and see how they like the Ida then.

GREGORY SCOTT.

From: Micha Miller.
Friday, June 15, 2007 12:46 p.m.
Subject: Letter about wolves

Dear Mr. PEARCE: I am Micha Noel Miller the 13 year old that has to carry a firearm when I go outside. We, my parents and I, have had the Durango Pack (AF924 and AM 973) in our yard 5 times in the last 6 weeks. I hate the wolves in our yard because I feel that I am trapped in my house! I love to ride my horse and bike and walk around outside, for that I wish we could get the wolves out permanently!

When we get home after dark my mom has to go feed our dogs and cats because I'm scared to go outside even though I know the wolves are 6 miles down the road and it doesn't make a difference, I'm still afraid they are coming up behind me. I'm tired of looking over my shoulder and being scared all the time. Even carrying a firearm I'm still frightened of the wolves when they come in my yard.

I have gone hunting with my dad alot. We have called in coyotes and even a bear and I wasn't as scared as I was everytime the wolves were in our yard. The coyotes and bears are more scared of you and will run away, but the wolves will just keep coming closer to you. They are not scared of humans!! I have had a wolf within 40 yards of me and I was so scared I couldn't move. My

older sister, A.J., came out and scared the wolf off finally.

I have nightmares about the wolves attacking my family and our pets. The Wolf Program says you cannot shoot a wolf if it is attacking your pet on private property. I don't understand how the wolf program expects people to stand by and let the wolves kill their pets and not do anything to stop them. They think the wolves are more important than anything else, including a human life!

I wish there was someway you Mr. PEARCE could get the wolf program to remove the wolves. I just want to have a normal childhood where I can go outside and play anytime I want without being armed and worrying about wolves being in my yard.

Thank you for your help.

MICHA MILLER.

Dear Sir: I am Samuel Montoya, a Viet Nam Veteran and a life resident of New Mexico. I was born in Las Cruces, and was brought up to enjoy the outdoors and the abundant hunting privileges, shared by and with many generations of my family.

Since the wolf program has been active in our state, the enjoyment of the outdoors has stopped; and our hunting has become unsafe.

In 2006, myself and some friends were on an elk hunt in the Gila, specifically units 16A and 16D. A total of 4 elk were killed. Two of the hunters were my friends that came in to hunt were from Indiana. They paid out of state license fees. We were bow hunting and they stuck their elk in the evening and lost the blood trail when it got dark. I told them we would get up early and continue to track. Well, we found them and a wolf was on them and had eaten over half the elk. I ensured they tagged it which is in accordance with NM Game and Fish laws. They went home paying the state $766.00 and all their expenses getting here and then going home without the elk they had killed.

I am also a landowner at Elk Springs. Is it sad that I can't do anything to protect my property and pets, on my own property, from the wolf. This is the policy of the Federal and State Government. I have had wolves on my property and so have other neighbors in the subdivision.

In reading our Constitution of the State of New Mexico, Page 2, Article II. Bill of Rights Section 2–3–4, Popular Sovereignty and Right of Self Government and Inherent Rights, we no longer have these rights; they have been taken away from us. The most important to me are sections 3 and 4. I cannot govern what happens on my property with the wolf, and in section 4, I cannot enjoy and defend my life and liberty of acquiring, possessing and protecting property, and of seeking and obtaining safety and happiness, as long as the wolf is present.

Our game—elk, deer, etc., will no longer be what it is today, due to the wolf. I don't know how our Federal Government could bring the wolves into New Mexico and feed them with our state game. The hunters have paid for our elk population, by purchasing licenses. Our Game & Fish are supposed to take care of our game, but are doing a bad job.

What I would like to see done is to give back the care of our forest and game to the State Police, and get rid of our NM Game & Fish. I think they have forgotten who pays for their jobs. The wolves should be removed and relocated to White Sands Missile Range, since there is no one living there, and let the Federal Government fence them in and feed them. This will allow us to get our rights back on our property, and our freedom to walk in our back yard without having fear of the wolf.

Thank you for listening and your assistance is appreciated.

SAMUEL E. MONTOYA.

TUESDAY, JUNE 12, 2007 11:44 A.M.

From: Laura Schneberger.

Subject: More kills on Durango not that it matters

Durango is howling all around the Garcia all night, a cow was bawling like crazy so in the morning they went looking and found the calf. They are examining it now. Probably will be confirmed but then the female will be spared a strike and she already has two of them. The male has none in the past year that I know of, so he will get this strike and probably the next two, then at the very end of the strike process, they will finally admit there is a problem anywhere from 3–15 cows later and issue removal orders.

They have been killing all along it is big country though and the cowboys are spread so darned thin. It really stinks that they are responsible for 90% of wolf management or they can just suck up the losses. I have no idea what FWS does anymore other than pander to the Defenders of wildlife and their pals and go to the bar in Alpine at night. Oh yes, they go to meetings where they plot and plan on how to make sure the people out here are impacted as badly as possible.

Ranchers can't afford to go not even to defend themselves anymore we don't get per diem for the 3.50 a gallon gas and if we leave the kills escalate and are found even less often.

So now the bites found on the calf are 35 mm, way to big to be a coyote but not your normal wolf spread either. So something is going on here that isn't very kosher. a small female wolf can be about 35 mm but usually they are 38–42 and the males a bit bigger. a large coyote is 28. The new WS guy who wants to be friends with everyone is making noise about putting this kill on coyotes. Even though the Durango were there when it happened, the bites are all over the back of the 250 pound calf. I have never seen a coyote kill a 250 pound calf, 100 is about the limit unless there are three or four coyotes then maybe 150.

Someone needs to get the biological stats and specifically the width of these released wolves teeth out to us. FWS knows exactly how wide their teeth are but they sure won't offer any information.

Just the latest in the ongoing saga.

LAURA SCHNEBERGER,
Gila Livestock Growers Association.

WEDNESDAY, JUNE 20, 2007 1:26 P.M.

Subject: Wolf.

When we were hunting in the Gila last year we killed an elk cow. We killed our cow went packing out our meat, took the first of it out, came back for more. About 1 hour latter, the wolves had been their and ate the rest of the meat. It is not right we paid for the meat and the wolf gets it. It is harder to get a permit now, because of the wolf. It is not fare. Way do we have to bring them back?

EARL AND KATHLEEN HILLS.

SUNDAY, JUNE 17, 2007 12:54 P.M.

Subject: Wolf problems from Ground zero.

Dear Congressman PEARCE: My name is Preston Bates; I own the N Bar Ranch and am permittee on the T Bar grazing allotment on top of the mountains near Reserve, New Mexico. I am ''Ground Zero'' of the Mexican Wolf recovery area. They have literally destroyed my life and here is my story. I came to Catron country in 1992 with a background of horses, cattle and tourism. My goal was to start a guest ranch and breed cattle and horses. I had no deep pockets but I had plenty of determination and some good luck. I found the N Bar Ranch and after some discussion with the absentee owners I leased it in 1994 later making a purchase in 1997.

I started on a shoestring, tents for accommodations, 40 head of old cows, and some rented horses. I grew up on the east coast and I knew what people wanted in a western vacation and I knew where they were coming from and how they wanted to be treated. We were not the typical ''Dude'' ranch. We found a small niche to fill by being a hands on, jump in, get dirty, get real, working ranch.

The business took off, the tents became cabins, our cowherd grew and developed with careful selection and purchase of quality stock. The same with our horses, we bought good horses and started breeding and training our own. By 2000 we had over 300 guests per year, with a return guest rate of 73 percent while the industry average was 12 percent. At this time I employed three people full time and three others for summer help. I bought locally supporting the Reserve community; between payroll and doing business locally I put at least $150,000 annually back into Catron County.

Back when the wolf reintroduction program was first being discussed and later when initially implemented I was probably the most wolf tolerant rancher around. The reintroduction of the Mexican wolf has been devastating to our lives in so many ways.

Financially: I first started seeing wolves in 2000 on my allotment and around my house. I suffered my first loss in 2000. As I am sure you are very aware the cooperation was nonexistent, as was the compensation. My calf crop started showing significant reduction by 2002 and continued until 2005 dropping from an average of 82 percent to 49 percent. In 2005 at 49 percent my cow herd should have been at it's peak of production as the average age of my cows was five years old and I was running a ten to one ratio of cows to bulls. I estimate in 2005 alone I suffered $50,000 in losses and even with confirmed kill reports for both cattle and horses, I have never been compensated one cent from Defenders of Wildlife. They are quick to pay the people on the fringe of the recovery for their own P.R. but are slow or don't pay those of us at ground zero knowing it is a burden we cannot bear long. D.O.W. should not be the ones responsible for the compensation. This is a Federally funded program and congress should be the ones making the payments for their decision to fund this failing program.

I have a mortgage of $78,000 per year. From the beginning my business plan called on the cattle to pay the mortgage and the guest business to pay all other expenses and improvements. By 1999 I had reached this goal. In 2005 with the horrific losses I suffered the calf income would not meet my mortgage. I had no other choice but to sell most of my horses to cover the difference. As a result I could no longer accommodate the ten guests per week. We could only take four guests. I could not just go out and by some cheap horses and expect to continue the safe, quality operation I had established. So in just one year I lost 50K in income from cattle and 60 percent of my future income. I have had to let go all of my employees.

Management: I have the Luna pack on my range and they have been here for years now, I also estimate I have 11 uncollard wolves. I have had to change my management of my cattle to attempt to reduce my losses. I now have to bring in all my cows with calves to my private land and feed them through the winter. This results in an additional feed expense of $4,000 to $6,000 per year plus the several hours a day spent feeding and watering them, which takes away from other tasks. I also now use a feed supplement on the open range for the other cattle to attempt to control their movement thus making it a bit easier to check my cattle daily in the 14,000 acre pasture in which they winter. This supplement has cost me $6,200 each year for the last three years. There is $12,000 new expenses directly caused by the wolves.

I also have to stay out in a camp during March and April and make rounds at night during calving season. Camping out this time of year at 8,000 ft elevation is not a lark. We don't have nice camp trailers, ours have no heat or water and at 50 years old it takes its toll. I continue living with my cattle until late November, on average I stay in camp 250 nights a year. Staying out at camp and keeping my pastures busy has helped with my losses, I have seen a gain in my calf numbers but it has taken away the quality of life we once enjoyed.

SAFETY

We have wolves around our house constantly. I don't mean just a few times a year, it is rare we do not see them every day. They have no fear of us. They have attacked horses in my corrals 50 yards from my house. They have killed newborn colts and injured young horses. They have spent days digging up our horse cemetery just a couple hundred yards from the house, eating years old carcasses. They are in the corrals every night in the winter eating frozen cow manure. They sit on the hill a hundred open yards from our house at noon and bark at us when we are outside. Up close and personnel encounters are common. I have had them in my camp during the day, eye to eye at 15 feet being given a challenge. I have been stalked for miles while horseback. One of my cowboys was stalked as well. While changing a tire on the main forest road I had one come up behind me without my knowing till I turned around and he was so close I was able to throw a handful of road gravel in his face. My 11-year-old son will not nor will I let him go hiking or adventuring away from the house and barns. No more playing in the woods near the house building forts and doing things a kid should do. He is emotionally and mentally held captive by the wolves. He has seen up close the killing they do. He was with me when full of excitement we went to see if the mare had foaled that night only to find it half devoured. We can longer go for walks with our dogs for fear the wolves will attack. My wife won't walk or hike alone anymore even down the driveway. I never use to carry a weapon. I do now even when doing chores around the house. Weekly I have to fire off shots both day and night when the wolves are just too close to the house. It has gotten that they don't run until the third or forth shot and often only go a few hundred yards. I have chased them a foot yelling, tried cracker shells, whistlers, not much scares them anymore they are use to it all. These are not wild animals.

The difference between this wolf recovery effort and that done in the northern Rocky Mountain States is they started with wild wolves. These wolves here are human raised animals that relate people to food and safety. That is why we see so many more wolf/human interactions here than up north.

The management practices of the wolf recovery team put public safety at the bottom of the list. They have allowed wolves to den within a mile of the most recreated campground and lake in the entire Gila national forest. They have signs posted along the wilderness boundary about the wolves but there are no wolves in the Wilderness area. They are all up in the general forest area. There are no warning signs posted in these areas where people camp concerning the wolves and safety of pets and children. This is done to perpetuate the commonly held idea that the wolves pose no public safety risk if you don't go into their habitat. I talk to campers all the time who have had wolves come into their camps and they never even knew they were in wolf habitat.

These wolves will kill a child soon.

As I write this, my guest business is no longer operating I had to sell the last of my horses. I am trying to hold on to the place working 300 cows and 125 sections of land by myself hoping I can sell it as a ranch before I have to subdivide my private land, which would only cause more human/wolf conflicts.

The Mexican wolf has destroyed everything I have worked for years. I am the first to go down as a direct result of the Mexican wolf introduction, I will not be the last unless something is done to stop this program which will never work but will cost many people in this community their livelihoods before it is decided to have been a failed effort.

Thank you for all your efforts, for this we all commend you.

Sincerely,

PRESTON BATES.

BEAVERHEAD RANCH,
Winston, NM, May 2, 2007.

NEW MEXICO DEPARTMENT OF GAME AND FISH.

Within the last two weeks Alpha Female 667 began to den in Taylor Creek. Accompanying her is male 863 and female pup 1046. Our family owns a private parcel in the bottom of Taylor Creek and like most homesteads it was established at a permanent spring. The majority of property sits in the bottom of the canyon and the water rises at the lower end of the property. This spring is not only a source of water for wildlife, but also for our livestock. It is the only source of water in the bottom of the canyon within a 2 mile radius.

According to recent activity and wolf locations, we believe the female may be denning on our private property or within 1/4 of a mile of our private property. In order for her and the other two wolves to drink, they have to enter our private property and cross directly in front of our house. Our recent discovery of these wolves is of great concern to us. First, uninformed and unaware of the locations of these wolves, we moved yearlings to this exact pasture just one week ago. As the canyon sits in the middle of this pasture, cattle use the canyon as a crossing to get to each side as well as a funnel to water on our private property. When we are grazing this pasture we use our house there as a residence and a place to keep our horses.

Shortly after releasing our cattle, a cow elk carcass was found 25 yards from the house. Suspicious of the kill, we returned with a radio collar tracking devise (on loan from the USFWS) to track wolf locations. Before entering the canyon we received strong locations on two of the wolves. As we dropped off into the bottom of the canyon we spotted Male 863 on our private property. Investigating closer, we spotted numerous tracks on and around the spring. We have spent the last three days with our cattle to avoid any depredations. With all of our time and resources concentrated in one area, we have no time to tend to remaining cattle elsewhere on the ranch also threatened by nearby wolves.

Our family has fully cooperated and maintained a working relationship with the wolf program up to this point. We had informed the U.S. Fish & Wildlife Service when cattle were turned out on our allotment. We have asked and were assured that we would be informed of wolf locations on or near our allotment. We do not understand why a collared wolf was allowed to den so close or possibly on our private property.

Time is of the essence; a major problem is quickly developing. We request that these wolves be immediately removed before any livestock depredations occur. If possible, we would like to request that a representative from the New Mexico Department of Game and Fish assist us with a solution to this problem. Our family ranch has been fully cooperative and hopes that the right decisions are quickly made in this matter.

Thank you for your prompt attention and action.

THE DIAMOND FAMILY.

ADOBE RANCH,

NM DEPARTMENT OF GAME AND FISH.

May 1, 2007.

We have lost 5 cows and 10 calves to wolves on the Adobe Ranch since January 2007. These confirmed kill reports have been sent to the Defenders of Wildlife and we have not received payment for any of these depredations. No payment has ever been received for any of our numerous 2006 depredations to date.

Currently there are 3 packs on the Adobe Ranch. The Durango pack was within twenty feet of one of our cowboy's house all night last night, May 1, 2007 confirmed by Wildlife Services.

We have lodged complaints with NM Dept. of Game & Fish representatives and the Federal Fish & Wildlife Service recovery team, and have received no response from either. The recovery teams response on past complaints has been that they have neither the time nor personnel to investigate these incidents.

The situation with the wolves is getting way out of hand in this area both financially and with habituated wolves hanging around our houses. The loss of game and livestock in this area will soon reach catastrophic levels. Your attention to this matter is urgently requested

Thank You.

GENE,
Manager Adobe Ranch.

Los Lunas, New Mexico, February 6, 2007.

DEAR REPRESENTATIVE PEARCE: There is a situation in Catron County, New Mexico, involving many of the residents there, their children, their horses, cattle and pets, and the reintroduced Mexican grey wolves. It seems to be reaching crisis status, and yet nothing is being done.

Apparently, while these wolves are protected by law so that no one may harm them, they are also far too habituated to humans and have no fear of approaching human dwellings and properties. People are finding wolf droppings on their front porches! They are watching while their dogs are being killed by the pack, unable to lift a finger to stop the slaughter. Cattle and horses are likewise being preyed upon, and in one instance, a child was surrounded by the pack for several minutes. Fortunately for everyone, in that case the wolves eventually decided to leave, but it doesn't always end that way.

I am a bona fide ''tree-hugger'', and have long been happy to send letters, sign petitions and even donate money—when I have any to spare!—in order to further the cause of wolves being assisted in reclaiming much of their former territories. I firmly believe that there must be a way for all of us to share this planet and live our lives. Indeed, I have learned enough about nature to understand that each element is necessary for a healthy ecosystem, and devastating ''domino effects'' occur when one species is extirpated and the balance is upset. But no one can argue that a wolf that learns to view humans as non-threatening becomes a very grave threat to humans and all other animals in our charge. For quite some time now, the National Forest Service has made huge efforts to educate the public about the dangers of bears becoming relaxed about approaching human-inhabited areas looking for food in garbage. It invariably results in someone having to shoot the bear because it endangered human life. It hardly needs a college degree to realize that wolves are equally dangerous when they lose their natural shyness of human, and certainly no one can

argue about their intelligence. This means you have a number of smart, fearless and frighteningly capable predators claiming areas as their own when people already live there.

Something needs to be done, and sooner than later. I cannot express my dismay to think that my support of wolf protection programs might have in any way helped this dreadful circumstance come into being. I think if many of the Catron County residents were asked, you would find that they are not against a wolf reintroduction program, but clearly they weren't expecting wolves who can't be bothered to stay away! Domestic animals represent some easy kills, and we cannot blame the wolves for making that choice. But waiting until they attempt to take down a human is beyond irresponsible, it's criminal.

I am hoping I can count on you to take some immediate action on this urgent issue. The people responsible for the wolves being released in Catron County aren't residents there and don't have to live every day with the consequences, but they simply cannot be allowed to let the situation continue. I appreciate the time you have taken to read this letter.

Sincerely,

EVELYN BAILEY.

WOLVES ON A KILLING SPREE PROMPT COUNTY TO TAKE ACTION

(By Lif Strand)

CATRON COUNTY, NEW MEXICO. Wolf incidents in Catron County are on the rise and Catron County's Commissioners, who declared an emergency situation in February, 2006, are now determined to take firmer action to protect the citizens here.

''These wolves are on a killing spree,'' said Catron County Commission Chairman Ed Wehrheim recently. ''They killed a horse on Whitewater Mesa just the other day, the second horse in just one month.''

Wehrheim is gravely concerned because these are just more incidents in what appears to him and the other Commissioners to be a never-ending spiral of killings of animals that the Commissioners feel will ultimately end with the attack by a wolf on a human being.

The County passed the emergency declaration last year primarily to put a halt to the economic devastation caused by the presence of Mexican wolves which not only hunt wild game, but also kill cattle, horses, dogs, cats and other domestic animals.

Now it appears that the situation has become more than an economic emergency and has escalated to a high level of risk for human lives in Catron County.

At base is the problem that many of these wolves are habituated to humans. This means that, unlike normal wild animals, habituated wolves are unafraid to be around humans and areas where humans spend time. It becomes more and more difficult to haze away habituated wolves when they have their sights set on an easy meal—which may be a family pet.

This is just what happened with the Miller family on their Link Ranch in Catron County south of Wall Lake—not far from a dude ranch where families with children vacation. Last November, the Millers' 8 year old daughter went out to the corral near the house to let the horses in to feed them grain. Right in front of her, the alpha male of the Aspen wolf pack attacked the family dog which had accompanied her to the corral. The wolf was unfazed by the Millers' attempts to chase it off the dog, which was only saved from death by the fact that it was wearing a large collar. This was the second attack on one of the Miller's dogs in just weeks.

Then, early in January, wolves trapped the Miller's daughter's horse, Six, in the same horse pen, where Six had run for safety. There was blood everywhere. If this was a typical wolf kill, Six would have been torn apart and eaten while still alive. Hopefully the Miller's daughter is unaware of that fact. The wolves continue to stalk the rest of the Miller horses, sometimes chasing them for miles.

''The horses are back at our house but so are the wolves,'' Mark Miller reported last week. ''As of this morning, the wolves are all around the house and the horses are huddled in a corner of our property.''

Miller went on to express his concern for his daughter's emotional health, since at eight years old, she cannot help but be aware that if her dogs can be attacked and her horse killed, she might be the next victim. Any child would have nightmares about that.

Miller and his wife are both walking around in nightmares of their own, as are many ranchers and others who live in the wolf reintroduction area. They all are anxious about the safety of their families and their pets, and are facing tough decisions about whether they should abandon their homes and their livelihoods for somewhere else where predators have more protections than humans. But, of course, who would buy a home surrounded by wolves that would make you and your loved ones prisoners inside?

Is this any way to live?

The Catron County Commissioners don't think so. They know that in a killing frenzy a wolf can attack a person who happened to be nearby. This is not the idle speculation by wolf haters, but simple science. Sharks do it, hyenas do it, so do wolves. The Miller's little girl could so easily have been killed weeks before Six was.

There have been quite a few wolf killings of dogs, cats, horses and other domestic animals in Catron County. While many people often feel that losing some cattle is not too much to pay for reintroduction of wolves in the forests of the southwest, people who live here don't feel it is fair that they should pay the price they are paying for this wolf program. And it looks like the price is becoming more than economic—it looks like it might become the blood of a child.

People from out of this area have little idea of what it is like to be constantly anxious and fearful because of wolves. Many don't believe that there really is a problem in Catron County.

''When a wolf howls and you know it's threatening your family, your livelihood, the whole custom and culture of where you live, you don't have a warm and fuzzy feeling,'' said Charlie Gould, ranch manager from northern Catron County.

The Catron County Commissioners agree, and they feel it is time that they do something about it. The County has worked hard with U.S. Wildlife Service and other agencies in charge of the wolf program, but the Commission—and the people of Catron County—believe they just aren't taken seriously when they express their fears about the risks to human life from so many non-wild, human-habituated wolves in the area. And they don't want to wait for the death of a child to have someone take them seriously.

The Commission, charged with protecting the health, safety and welfare of the citizens of Catron County, will have before them on Wednesday, February 7, an ordinance which lets them exercise their police powers granted under New Mexico State Statute, when there is a threat to human life. This ordinance will allow the Commission to issue a ''Dispatch Order'', an instruction issued by the Catron County Commission for physical removal of a wolf by lethal means from within the borders of the County by an authorized individual. If the U.S. Wildlife Service doesn't do it, then the Commission will, because the Catron County Commission is taking this situation very seriously.

''I want to be somewhere where my kids are safe.'' Katy Leist, rancher, mother. July 2006.

PARAGON FOUNDATION, INC.,
Mesilla Park, NM, April 6, 2007.

Alfredo Montoya,
Chairman, New Mexico State Game Commission, San Juan Pueblo, NM.

DEAR MR. MONTOYA: I am once again appealing to you and the New Mexico State Game Commission to help me find some relief for the people, all citizens and taxpayers of New Mexico, who unfortunately live and work within the Blue Range Wolf Recovery Area and are suffering the consequences of the Mexican Wolf Reintroduction Program.

There is not one person who lives within the BRWRA that has not been impacted by this wolf recovery program, the vast majority of whom have been impacted negatively. I can assure you that most people who live within the BRWRA have had their fill of wolves and want this program to end now.

Further evidence of the disruption this incredible program has created in the lives of hundreds of people, is not necessary. You have seen and heard enough and are fully aware of the dilemma these folks are forced to live with each and every day.

Also, Mr. Montoya, every elk hunter I see is now starting to see the impacts of the wolf program on the elk herd in the Gila and, likewise, wants the program to end today. Dr. Thompson may tell you otherwise, but people who live and work in the Gila National Forest are seeing a severe decline in the numbers of elk throughout the forest. I do not need to remind the commission of the huge economic benefits the' elk hunting industry brings to the state at many levels.

We know the wolves are killing lots of elk. I spoke to one property owner in the Gila who counted over 100 elk carcasses in the area he hunted in last fall and another saw 17. A rancher on the northern edge of the Gila has seen an 80 percent decline in the numbers of elk that he normally will see on the ranch. He also told me that he sees lots of elk carcasses and he's sure they were killed by wolves. He also believes that for every elk that is killed by wolves, four or five vacate the area and move to the north. So, if that is the case, then the elk herd is being reduced by 4 to 5 elk for every one that is killed by wolves.

Another rancher told me that when a pack of wolves moves into an area that is inhabited by elk, as soon as the wolves apply depredation pressure, the elk will move out of the area and it is not unusual for them to travel 20 to 50 miles to get away from the wolves.

So, in order to try and confirm this movement of elk out of the Gila, I called two ranchers in the Grants/Gallup area. I asked first if they knew of any wolves in that region of the state and they told me that they had not heard of any. I then asked them what the situation was with the elk numbers in that area. They both said that the elk numbers were increasing and that there were a lot of elk in the region.

Both ranchers told me that the elk were putting a huge amount of grazing pressure on the available forage in the region and that the Forest Service was trying to reduce livestock numbers on grazing allotments to compensate. This might be fine if the Forest Service were willing to compensate the ranchers for the lost production, but we all know that is not going to happen. This is the

same scenario that the ranchers in the Lincoln National Forest are struggling with too many elk competing with livestock for the available forage in the region.

The Forest Service sure doesn't have a problem forcing ranchers to reduce livestock numbers but won't hold the Department of Game and Fish to the same standard. If the Forest Service was truly interested in protecting the resources, then they should hold the Game Department to the same standard as they do the ranchers who own the grass.

Anyway, my point is, the wolves are applying so much pressure on the elk herds in the Gila, and aside from the elk they kill, they are causing elk to move completely out of the Gila and into other areas to the north. There is no other direction for them to go.

So now what happens as the elk numbers decline in the Gila? What will replace the elk as a primary prey base for wolves? There are no deer. The only thing left will be the livestock. Cattle are being killed on a fairly regular basis anyway and will continue to be at risk. Horses are extremely vulnerable because they respect fences and cannot leave the country like the elk can. Is this part of the plan?

The wolves have had 10 years to reach some kind of acceptable balance and get established in the Gila. They're not even close. I offer to you that it is not within reach. An acceptable balance of wolves, prey base and people in the BRWRA is impossible and the program is already a dismal failure.

At what point will, whoever is in charge of this program (I'm not sure any of us know), say: ''OK. I guess that's enough . . .this ain't gonna work''.

Where is that sacrificial threshold? Will it be when a child is lost? Or maybe it's more than one.

All I'm asking for is honesty. What do the people you have sworn to serve, have to do to end this unbelievable injustice? Just tell us the truth.

Thank you for your time.

JOE DELK.

TUESDAY, JUNE 05, 2007 7:44 p.m.

From: Kim Tricky.

Subject: wolf incident

DEAR CONGRESSMAN PEARCE: Here are a few wolf encounters we have experienced first hand here on the H–V ranch. The ranch straddles the Arizona/New Mexico line with the bulk of the ranch in Catron County. The first incident is about a large domesticated wolf that wandered into the ranch. This happened about three years ago.

It was a very LARGE wolf, but obviously domesticated. Macky saw him drinking out of the horse water trough and watched him for quite awhile trying to decide what to do. The wolf showed no fear but was not threatening at all—just very thirsty. It then sort of followed him to the front of the corral and went chest deep into to duck pond where it continued to drink. When it came out of the water Macky threw a loop made of baling twine around its neck and tried to lead it to the trailer—it didn't lead very well, so was sort of a half-lead and half-drag kind of deal. He had to lift it into the trailer (yes, he really is that crazy!). We called the wolf people and J Brad Miller, who called me back. I told him the animal was obviously someone's pet, and absolutely huge!!! Very wolf looking with no decernable dog traits. He couldn't believe the size of the wolf when he came to pick it up—He said it was a timber wolf—like from Canada! They did take it in and do the DNA tests and the last I heard some lady came and claimed him. I'm sure someone had turned him out and he was looking for someone to take him home! He appeared to be older and had calluses on his elbows like he had been laying on concrete for quite a while. We have had several other wolf/dog episodes here around our house— all have proven to be hybrids turned loose.

Another episode was when we had three large black wolves hanging around our corral on the hill. We had several cattle in the corral and they were acting aggressive towards Macky when he showed up. He scared them off and called the Game and Fish. They determined that they were hybrids and tried to trap them but were unsuccessful and finally were able to shoot them. We lost a good cowdog the night before Macky saw these wolves. My son had left him out of the pen overnight and he simply disappeared. We never saw any sign of him afterwards.

The third event happened last summer in August. The San Mateo pack had been on our allotment since their release in March. They had killed a calf in one of our upper pastures (which was documented by the game and fish) but the calf belonged to a neighbor, not us. Then they were suspected in a couple of killings on the Arizona side of the line above our house. We noticed one of our good ranch geldings did not come in with the other horses and went to investigate. We found him dead and pretty decomposed and eaten out. Macky looked at his legs for signs of predation but could not tell anything, and because he was my son's horse and my son was very distraught over the death (at the time we assumed maybe he had been hit be lightning or something) that we buried him with the backhoe. The next day when Macky went out to catch one of the younger horses to work with him he discovered wounds and bite marks all over him. We called Game and Fish and they confirmed a wolf attack on this two year old thoroughbred colt (grandson of Seattle Slew). The colt has since recovered, but is very frightened of dogs now. We strongly suspect the other horse had been run and killed by the wolves also.

The second spring after the wolves were released we received a call from the Game and Fish about one collared wolf and two uncollared wolves jumping up and running calves in the Spur Lake Basin. They had tried to chase them off the calves with the plane and had called Macky to report. We then rode everyday over there with a USGF person looking for possible kills. All we ever found were tight bagged cows missing their calves. We would often see a cow ready to calve and the next day see her again without a calf and obviously tight bagged and bawling for the calf. When we gathered this pasture to brand we noticed we were at least 20 calves short of what we would normally expect to gather. These cows were all preg tested in the Fall and pregnant at the time they were turned out to this pasture.

TUESDAY, JUNE 05, 2007 1:48 P.M.

From: Mary Macnab.

Subject: Attacking the people—The Mexican wolf

This area has been inhabited for thousands of years and is still laced with living communities. The landscape has absolutely no ''core'' peopless area for wolves to recover in. Respected wolf biologists Ed Bangs and Stewart Brecht of the No. Rocky. Mt Wolf Recovery have recognized this and stated that it can never work here. The wolves were dumped right on top of us. Not ''over there'' or ''beside'', but right on top of our backyards, towns, communities, children, schools and the sensitive grazing/calving areas that support the small family ranches which form the basis for our regional, sustainable and generational economy here.

I am especially disturbed by the callous lack of concern the involved government functionaries have regarding incidents where wolves stalk and circle our children in the woods, in their yards, and walking home from school. One county is seeking funds for wolf-proof cages so children can wait for the schoolbus in relative safety. Small children cannot be let out of sight, even in their back yard, as many incidents of ''prey testing'' (staring at, stalking/following, showing no fear) have been experienced here, especially with children. Children old enough to venture out on their own and all others, to be safe, must carry a firearm when leaving home.

This unconscionable situation of irresponsible lawlessness in complete lack of respect for our foundational legal protections for safety, happiness, and right to protect private property have been thrown out the window in favor of alien agendas contrary to all the participating officials oath of office which (state and federal) upholds the most important and supreme duty—the protection of the rights of the people. ANYONE AWARE OF WHAT IS ACTUALLY OCCURING HERE SHOULD BE VERY ALARMED! This percedent of callous governmental disregard for the welfare of the people in favor of an agenda which is alien and extremely dangerous to them does not bode well for anyone's future in the United states.

Such careless disregard can destroy our communities, our families, our economies, our whole world.

The ''pogrom'' personnel, whilst receiving their relatively posh paychecks are flagrantly and regularly breaking federal law in the form the rules and regulations supposedly governing this program especially regarding the safety of the people and their livelihoods—many illegalities are protected by cover-ups. This is a program with no where to go but cultural genocide (by wolves/land torpedoes) or, mercifully, away.

I recently witnessed a dangerous dog attack another's pet in an urban area. Witnessed by several people, the response was immediate and loud. That dangerous animal ''should not be out where it could threaten'' others or their pets. One man said that if that dog ever threatened him or his dog ''it would be dead''. It was quite obvious that these urbanites would broke no dangerous animals ranging their and their pets' territory.

Here in pogromland we have no recourse. Cattle on the range are fair game unless you see the wolf attack which almost never happens. Compensation is a joke. Children can be stalked and monitored by known dangerous wolves daily with no real legal recourse to protect their safety until the wolf ''touches'' (read attacks) the child's body. One bite of these powerfully jawed animals can break the leg of a 1,200 lb. elk in half. Reporting incidents is fruitless as these are downplayed to nonexistance to make the pogrom look good to the higher-ups and the masses.

All is skewed or covered-up, by massive public information campaigns with the actual ground zero reality carefully censored. To these truly misinformed urbanites these perception development operations make the pogrom seem not only palatable, but charismatically desirable. This leads to the ''public support'' so often used as the pogrom's justification for existance.

THERE ARE MANY SIMILARITIES BETWEEN DUMPING KILLER PREDATORS IN PEOPLE'S YARDS AND COMMANDEERING AIRPLANES AND FLYING THEM INTO BUILDINGS. In both cases the targets are people, not government.

These federal functionaries who illegally and/or unsafely dump killer predators are not attacking the U.S. government. They are attacking average citizens in our homes and on our properties.

Will you appeal to the Department of Justice to explain why cover-ups and the breaking of federal law and rules leading to illegal

predator dumping is not terrorism, and why they are shirking their duty? Will you please prevail upon the U.S. Attorney to explain to the world why planned and deliberate acts of terror directed against the people are of no concern to his office, if indeed this is the case?

Sincerely,

MARY MACNAB,
Blue, AZ.

JUNE 5, 2007.

MR. PEARCE: Here is our testimony regarding the Mexican Wolf problem up to 2006. Since the beginning of 2007 we have had another confirmed Cow kill along with her missing calf. Our ranch is for sale now as we cannot sustain such financial losses. Hope this will help.

Thanks for your efforts.

Narrative Statement of Our Claims, March 2, 2006:

The US Fish & Wildlife Service (USFWS) wolf management program and actions adversely affect our civil rights and property rights and investment-backed expectations and way of life. We describe, below, the destruction of our property rights, disregard for our rights and privileges and the significant negative stress on our family.

In April of 2004, after many years of hard work and planning we were at last able to purchase our life long dream, a small business of our own, the Deadman Allotment we call it the V Bar Ranch. In the Fall of '04 we started finding lots of wolf tracks up and down the north fork of Negrito in the area where our cattle were watering. This was a concern to us as we had over $50,000.00 worth of cattle inventory, and the future for our new business depended on that inventory of cows and bulls. We soon found out that the US Fish and Wildlife Service (USFWS), Mexican Wolf Blue Range Reintroduction Projects (MWBRR), San Francisco Wolf Pack was in our area. The pack was causing much havoc on our neighbors, the Blairs, Rainey Mesa, Y-Canyon, N Bar, and the Tackman Ranches, and now we too were experiencing the same problems. To add to everyone's wolf problems, in the early part of 2005, the USFWS Wolf People re-released the Ring Pack back into our area. (Note: the pack had been removed 365 days earlier because of livestock depradation.) Ring female was pregnant and ready to have her pups, in which she denned up in our Eagle Peak Pasture to have them. These factors set the stage for the disastrous spring of 2005.

In March of '05 we found 5 dead cows within a one mile radius. Three of those cows were wolf kills, but we were unable to have them confirmed because by the time we found the carcasses in our rough terrain, they were too dry and eaten up to verify wolf teeth marks. We went on the topical evidence, wolf tracks, wolf scat, area, and position of where and how the cow was laying. It was a positive of the three out of five cows. So, there was $3600.00 worth of livestock down the tubes, not to mention the $1500.00 worth of calves the cows would have raised that summer.

As we continued into the spring of '05 the wolf situation got worse. The Y Canyon Ranch had their cattle in the Collins Park Pasture which neighbors our Collins Park holding pasture. All of the Collins Park area is easy open landscape. It is because of the topography of the area that our neighbors were finding wolf kill after wolf kill in their cattle in which were confirmed wolf kills by the USDA Animal & Plant Health Inspection Service (APHIS). Meanwhile all we were finding in our Eagle Peak Pasture (very rough terrain) was wolftracks, wolf scat with cow hair in it, and about six tight bagged cows minus their calves. Another $3,000.00 worth of calves lost. Adding all the topical signs up we knew what was taking place; our new business's assets were literally being eaten up by the wolves.

As we started gathering the cattle off the mountain into our Collins Park holding Pasture to brand and vaccinate the calves, we were very nervous about moving them down to where even more slaughter was taking place. So we were working as fast as we could. After gathering everything we came up seven cows short, and that was not counting the five cow carcasses we had found in early March. So, that added another $4,600.00 more to our losses thus far.

In mid June branding day at the Collins Park Corrals revealed that we had sixteen calves to brand out of 91 cows. Out of those 16 calves there were four that were injured. So we caught 2 of the calves and had Richard Grabbe with APHIS (Note: APHIS works hand in hand with USFWS Wolf Project) inspect the calves with us. Our suspicions were confirmed, there were indeed wolf bites and abrasions on the calves. Mr. Grabbe wrote a report on one of the calves as to confirming a non lethal wolf attack. So, here we were with 4 gimpy calves, two of which never fully recovered from their injuries, costing us another $800.00. (Note: understandably cattle buyers do not like to buy crippled livestock.)

During our spring '05 round up time, the USFWS Wolf people had taken out (Captured, and removed, not killed) the female and one yearling pup of the San Francisco Pack thinking this would relieve the livestock massacres taking place in our area. (Much to their (USFWS) dismay, the killings did not stop.) Simultaneously, the USFWS Wolf People were trying to catch the Ring Pack Male, so we figured if the Wolf Project Folks would do that it would break up the killer packs even more and perhaps we would see some relief in sight from the livestock losses. Unfortunately, when John Oakleaf (the Wolf Project field team leader) was asked what their plan was when they caught the Ring Male, he told us that the male Rings radio collar was not working and that they would re-collar the animal and turn him loose. That's when we decided to remove our 16 cow/calf pairs in an effort to save what calf crop we had left. This was a hard decision to make because we had such good feed and water right there on our own little V Bar Ranch, after all that's what we bought it for. The extra cost of a hauling expense and pasture rent of around $1500.00 seemed ridiculous, but we felt we had to salvage what we could.

The pasture we moved our cattle to was on the F Bar D Ranch, 20 miles away, out of the Wolf Recovery area. It is owned by our employer, Frank DalMolin. (We hold this job in order to add income for improvements to our V Bar Ranch, so that when we retire our small business would be up and running.) Our safe pasture was to be short lived. Not even one week later after our cows were barely settled into their new pasture on the F Bar D, we found a F Bar D calf killed by a wolf less than 250 yards away from the livestock drinker. We were shocked, as the wolf people assured us when we reported to them, that the lone wolf sighted, was a scavenger and not a livestock killer and was probably just passing through. The wolfs number was 859, and he stayed, killed, and he dined on an F Bar D calf Here was a wolf in the private land sector, out of the recovery range, killing. A loss to our employer of around $700.00. Wolf #859 was trapped that night off the kill and promptly removed, but only to be re-released in the very near future, the spring of 2006. We now realize, that not only the businesses inside the wolf recovery areas are being destroyed but we were seeing what the future would hold for other businesses outside the MWBRR project areas. All businesses in our rural areas will be destroyed by this Wolf Project, because every business in a rural area upholds one another financially. It will indeed have a dominoe effect.

In January of 2006 at our V Bar Ranch (Deadman Allotment), we started the year off with a fat full grown cow (probably heavy bred), found dead, stretched out across a boulder, about 50 yards from our lick tub. It was a confirmed wolf kill costing us yet another $1500.00. Mr. Grabbe with APHIS set a trap and caught an uncollared male wolf. The MWBRR Project protocol was to collar the wolf and turn the thief loose to go about his wolfly business of killing. The newly collared #1008 wolf was now on record. Since then we have found the leg bone of a calf, 2 crippled calves, 1 crippled bull, and 2 tight bagged cows missing their calves. Estimated cost at this time is around $3700.00.

With the new year starting off with more wolf depradation we are reminded of what John Oakleaf, field personel with the MWBRR Project told us, he said, according to his studies from the wolf project in Idaho, for every wolf kill you find, there are 8 more that you are not finding. With this in mind, we realize our small business cannot sustain such financial losses and we will be put out of business by the Mexican Wolf Blue Range Reintroduction Project. We have spoken with a realtor about selling the ranch and were told that because of wolf problem we would not be able to market our place as a viable working ranch. So, all we are left with is the 115 acres of private land worth an estimated $115,000.00. This would leave us well over $140,000.00 short of our investment. It would seem like a small amount for a lot of people, but to us, this was our life savings and dream eaten up by the Mexican Wolf Blue Range Recovery Project.

In conclusion, the Mexican wolf introduction will make it impossible for us to stay in business, to cover our operational expenses into the next year, and it would significantly restrict our ability to get loans. Unless there is immediate relief from the actions by the FWS. We are being denied our basic rights and liberties, including restraint of trade and denial of pursuit of happiness.

Submitted by,

JIM AND SHERRI HAUGHT,
V Bar Ranch (Deadman Allotment) Owners.

DOBSON FAMILY FARMS,
SHEEP SPRINGS SHEEP CO.,
June 5, 2007.

Hon. STEVE PEARCE,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE PEARCE: I recently received an email that was forwarded us from Laura Schneberger, Winston, NM. In the email, Laura asked for testimony on experiences related to the Mexican Wolf Program. As an Arizona neighbor, we are facing the same problems. I hope this letter and accompanying documentation will help you in your battle to set things right.

On April 30th of this year, I visited Washington DC and was able to meet with most of the Arizona legislators and discuss several topics of concern with regard to the agriculture and livestock issues facing our family business operation. Among these topics of conversation was the reintroduction of the Mexican wolf into Arizona and New Mexico.

As I told the Arizona delegation, I firmly believe the money being spent on this endeavor is not only a waste of taxpayer's dollars, but will in fact make it impossible for future generations to make a living raising livestock on the forest grazing permits. I am 68 years old. It is my intention to turn my livestock operation over to the 4th generation of the Dobson family. However, if things continue as they are now, the 4th generation

of Dobsons will no longer be able to raise livestock. Wolves are currently being reintroduced into areas less than ¾ of a mile from our private property. Cattle and sheep graze on this property during the summer in our breeding season. The wolves, if they are allowed to attack and kill our livestock, will prevent us from having a normal breeding season.

Enclosed is a current report from the U.S. Fish and Wildlife Service who confirmed a sheep kill by a Mexican Wolf on our private property. This is what we are up against if the wolves are allowed to remain in the area.

I have just this week sent this information to each of the Arizona delegates and welcome your support in helping to remove these wolves from our forest grazing permit. My family and I greatly appreciate your assistance in this matter and offer any assistance that we can provide to help you in New Mexico.

Respectively submitted,

DWAYNE E. DOBSON,
Sheep Springs Sheep Co.,
Dobson and Dobson Livestock.

TUESDAY, JUNE 05, 2007 9:30 A.M.
Subject: FW: What has the wolf program cost you?

MONDAY, JUNE 04, 2007 5:32 P.M.
Subject: Fwd: What has the wolf program cost you?

Arizona needs to pitch in and tell our story too! Pass this to your friends and neighbors who have been effected.

Send a letter, your testimonial. Thanks, your true story is needed.

DARCY ELY,
Four Drag Ranch @ Eagle Creek.

From: Laura
To: Laura
Mon, 4 Jun 2007 8: 17 a.m.
Subject: What has the wolf program cost you?

All, If you have had Mexican wolf experience, whether it is related to livestock, recreation, personnel, or anything relating to your home life or your children's and your own well being, please write it out and send it via email or snail mail or fax, to Tim Charters at the above address. This Must be done within the next two weeks.

Congressman Pearce is collecting actual incidents that have caused people to be affected by Mexican wolf program problems in their day to day lives. This program and it's managers are adept at sweeping things under the rug and downplaying the seriousness of the problems on the ground. Therefore, Your testimony is needed at the congressional level. Congressman Pearce wants a stack of letters to support his actions.

This is something that you can also help your neighbor do, if your neighbors don't have internet, please please print this and take it to them. Also, I have a lot of addresses, but not every address of folks who have been impacted by this program, so please call your neighbors and let them know about this effort.

It is vital that this is done and the hundreds of incidents and wolf problems are in the congressman's hands as soon as possible. Even if you have written it all out before, please do it one more time. If you have any questions please contact me.

LAURA SCHNEBERGER,
Gila Livestock Growers Association.

TUESDAY, JUNE 05, 2007 1:45 P.M.
From: Mary Macnab.
Subject: Mexican wolf crises.

DEAR CONGRESSMAN PEARCE: This wolf program will affect every person in this country whether they have livestock, hunt, or like to hike in the woods or not as it is yet another illegal, treasonous act by a corrupt government designed to dispossess the citizens of their property and turn them into a nation of helpless victims.

Supposedly we don't live in a country where the government can do this to people. This country has a constitution which is sacred and the highest law of the land and cannot be violated without committing treason, the highest crime of a civil nature of which one can be guilty. The Constitution simply does not allow majority rule over the constitutionally protected rights of others. This is the main point I wish to make although the wolf (dog) program has affected people in Catron County in many ways.

We are watching our communities and our culture die. At public meetings we see first hand the looks of glee on the faces of the evil fascists who are perpetrating this destruction.

This all takes us back to the dark ages when people were constantly under siege.

Children are afraid to walk home from their bus stops. Parents must now see that they are safely attended and safely escorted both going and coming.

What happened to our safety, peace, prosperity? This is oppression! A war on the people!

Sincerely,

TOM MACNAB
Catron County, NM.

MONDAY, JUNE 04, 2007 1:21 PM
From: Jim Taylor.
Subject: wolf program cost.

We are involved in a small mother-cow operation, and fortunately are fairly well removed from the areas wolves have been introduced to-however-we did sight a pair on our property (17 miles east of T or C, NM) and this sighting was confirmed by our neighbors to the east of us and all the way south to the Cutter area.

We reported this sighting to US fish and game—several months later, one of their reps came by asking about the sighting . . . as if they really cared. We attended one ''wolf meeting'' in T or C—hosted by fish and game I guess. Forest Svc, State fish and game, US fish&game, and some more reps from other govt agencies there. I did some rough, unqualified math in my head in relation to what all these talking heads with the govt agencies were making (salaries, expenses, transportation, etc) then added what their employees (field grunts) were making—then the cost of equipment, feed, medicine, etc, then the scariest part—what their bosses (the politicians, lobbies, and other general carpet baggers) were milking us (the tax paying public) for. I stated to the chair of that meeting that I surely didn't begrudge anybody employment, but I felt our tax dollars—and their educations, could certainly be put to better use than feeding a bunch of wild dogs. Seemed pretty darn silly to be messing with obsolete evolution while we have so many socio-economic challenges in this country—(the homeless, the hungry, the uninsured, just to scratch the surface). Instead of feeding a wild dog, why not channel that money and all the ''brain power'' these wolf activists and their lackeys control to a very evident and more worthwhile endeavor. I don't like the tax burden I carry, but if I've got to pay those taxes, I hate to see them squandered on the wolves. From where I sit, the whole program stinks—I think it's about how many dollars the carpet bagging activists can garner, and the wolves are no more than a vehicle for them to reach that end. AND AT THE TAXPAYERS EXPENSE. I also believe the wolf program is a poorly masked assault on the livestock industry and possibly even conspires to a future land grab, as ranchers are forced out of business. Sorry, but I cant find much nice to say about the program.

JIM TAYLOR,
Engle, NM.

MONDAY, JUNE 04, 2007 12:49 PM
From: Frank Morris.
Subject: The wolf in the yard.

SIR: In 2005 I suffered a broken ankle and was home in a cast. (No dramatic story here, I just fell over) on a March morning at approximately 10 a.m. I heard both of my dogs (ACDs) barking furiously on the front porch. struggling from my chair I opened the front door. There, not ten yards away was a Mexican wolf looking directly at me. The dogs nearly knocked me over getting into the house. The wolf looked at me for a full thirty seconds before turning and trotting away absolutely unconcerned. The animal was a full grown adult male and did not appear to be collared. It was in fact a wolf, not a coyote. I know this not only from my observation but also from my dogs reaction, typicly they run a single coyote off the place.

I live far outside the ''Wolf study area'' at the very southern most point of the Gila approx. 7/10 of a mile north of hwy.152 @ MM10 bordering Nat. Forest.

FRANK ''TWO JUMP'' MORRIS,
Hanover, NM.

MONDAY, JUNE 04, 2007 2:23 PM
Subject: Point of Cattle on San Carlos Apache Reservation.

DEAR SIR: We reported in the recent review that our cost estimate on losses has been over $300,000.00 in cattle lost. This was several years ago and just recently, we have reports of 2 more cattle being killed by wolves. This has been reported to FWS and hopefully we can get compensated for these losses. Our reservation has 82% unemployment rate. Many people do not work and Apaches have a host of social problems from this cycle of poverty that we are in and the economic harm caused by wolves eating our cattle herd compounds the problem to a dispossessed people. Here an animal, through federal policy, disposses us of income and causes economic deprivation to Apaches on the reservation.

Thanks,

STEVE M. TITLA,
Globe, AZ.

FRIDAY, JUNE 8, 2007.
From: jwolkins.
Subject: The Wolf Program.

TO REPRESENTATIVE STEVAN PEARCE: We understand that you are collecting incidents where citizens have encountered wolves, since the reintroduction of the wolves into the Arizona-New Mexico border area. We are ranchers on the Blue River, just over the state line (Az. side). Since the outset of the program, we have lost one pet dog to the wolves. However, we have had several other unpleasant episodes with the wolves. With the dog, it dragged into the yard with puncture wounds in the hip and leg. The evening before there had been 3 wolves in our meadow by our barn. When I took the dog to the vet, Dr. Duncan, he said the wounds were consistent with a large canine attack. The dog had to be put down, but later John Oakleaf (with the wolf program) went to look at the dog and said it looked like it had been hit by a car! The dog had no access to the highway so we knew that didn't happen! This is how the wolf personnel always respond when a wolf is implicated. We had the wolves chase our cows and calves in the same meadow, but we always drove them off. Later, we moved to a different ranch on the Blue River (partly because of the wolf problems). At this ranch, all our cattle are right near us and not on Public lands. So when the

wolves were dropped into the Blue and immediately started attacking home-owners' dogs, etc. we knew we would soon have them at the back door. Sure enough, three of them came and tried to attack two of our dogs through the fence. Once again, we drove them away, but now the fear is always there, that the wolves will be back. The Aspen pack terrorized our close-knit community for weeks, but the wolf program still insists that they want to put 100 more wolves into the Blue. There is no prey base here for the wolves, except cattle, horses, pets and people. I have followed this program from its very beginnings, and know that millions and millions of taxpayer dollars have been spent, and to date, there are no more than 2 or 3 breeding pairs. In my estimation it has been a total failure, and has hurt the economy of our ranching and tourist industries very badly. I truly hope you can do something in your office to help people that are in a lot of stress because of this predator which should never have been put into a populous area.

Thank you for all your efforts.

MR. AND MRS. DERRILL O. WOLKINS,
J Lazy W Ranch, Blue, AZ.

INHERENT POTENTIAL FOR PTSD AMONG CHILDREN LIVING IN AREAS WHERE THE MEXICAN GRAY WOLF IS BEING ''REINTRODUCED''

In the spring of 1998 the Mexican Gray Wolf, who was on a list of ''endangered species'', ''reintroduced'' into ranching country in west-central New Mexico and east-central Arizona. The wolves in question had been primarily breed and ''hand raised'' in captivity. The species was most probably ''endangered'' because the wolves had been systematically eliminated, over a period of 150 years, by ranchers who were settling the area and developing herds of beef cattle to support themselves and their families. The cattle industry in the west had become big business in the mid 1800s when, during the civil war, the governments of both the North and the South were buying beef to feed their armies.

It was very apparent to the ranchers that wolves and cattle aren't gregarious companions! It was also very apparent that wolves were also NOT compatible with the normal activities of ''family life'' within the ranching areas!

Ranchin continued to be both a way of life and a profitable business in the areas above described until the concept of ''turning back the clock'' became popular.

Americans are proud of their heritage. It is admirable to want to remember the past and preserve species that played a role in our lives. However, reintroducing wolves in the Southwest is about as intelligent as it would be to ''reintroduce'' smallpox!

Within a few years it became very apparent to the inhabitants of eastern Arizona and western New Mexico that the ''reintroduction'' of the Mexican Gray Wolf was contributing to the demise of their lifestyle and their communities!

Of paramount concern to the population was the effect of the wolf ''reintroduction'' on the children in the region!

As a Medical Doctor with a background in both Pediatrics and Child Psychiatry, I was asked to meet with ranching children and their families within the ''reintroduction'' area to ascertain the psychological effects of the wolf reintroduction program upon the children.

I was able to compare the results of the parent questionnaire which I had constructed for parents in the wolf reintroduction area with questionnaires circulated to ranching families in New Mexico and Arizona who do NOT reside in ''Wolf'' country. This was made possible through the efforts of the Cattle Growers Associations in New Mexico and Arizona, thus obtaining a control group for evaluating my findings.

In my study group each child was seen face to face and personally interviewed by me between February 1 and March 15 of 2007. Children were seen either in the schools which they attended or in their homes. Questionnaires were completed by their parents.

Weaknesses in this study include:

1. The lack of ''random selection'' of subjects from the wolf ''reintroduction'' area. (All the ranches in this area had been visited by wolves.)

2. Possibility of ''prejudice'' on the part of the author, relative to her residence on a ranch within the ''reintroduction'' area.

3. The relatively small numbers in each group. It should be noted that because the study involves ''ranching'' the total population interviewed within the ''reintroduction'' area includes at least 90 percent of all families with children living on actual ''working ranches'' within the area.

Results of the Study:

To date questionnaire have been obtained from equal numbers of children living on ranches in both the wolf ''reintroduction'' area and the ranching areas of Arizona and New Mexico where the Mexican Gray Wolf has NOT been ''reintroduced''. Several returns were not calibrated because of technical concerns (e.g.: reports about children 3 years of age or less).

Within the ''reintroduction'' area parents report that:

93 percent of their children startle more easily (than prior to the wolves arriving).

87 percent of the children believe that the wolves are presenting a danger to themselves or family members. [Due to depredation of livestock and family pets, this IS a VERY REALISTIC concern!!]

80 percent of the children realize that they are HELPLESS to control or stop the events they see occurring around them because of wolves in proximity to their homes. One child watched her horse attacked and killed in the barnyard. She then ran up to the ranch house with one of the wolves in hot pursuit!

80 percent of children in the ''reintroduction'' area . . . who previously slept in their own beds/bedrooms through the night, now frequently get out of their beds during the night and come into their parents' room, wanting to get in bed with their parents.

73 percent of the children awaken in the night crying or screaming because of nightmares, not present prior to the wolf ''reintroduction''.

73 percent of parents state that they believe that the ''wolf events'' which have occurred involving their children have been very traumatic for the children.

67 percent of parents whose children have been involved in ''wolf events'' report that their children have ''become more clinging.'' [Among the children who have NOT been exposed to wolves (control group) 10 percent are reported to have experienced recent traumatic events. None of these children are reported to have become more clinging.]

53 percent of the children who have experienced traumatic events involving wolves now appear to be unable to remain focused during activities which they participated in for age appropriate lengths of times prior to their exposures to wolves.

None of the youngsters exposed to wolves are reputed to have exhibited any of the symptoms described above prior to their exposures to the Mexican Gray Wolf.

It is definitely noteworthy that the behaviors/symptoms described above constitute the major symptoms involved in the diagnosis of Post Traumatic Stress Disorder.

None of these children are reported to have exhibited any of the symptoms described above prior to the ''reintroduction'' of the Mexican Gray Wolf in the area of their homes.

Questionnaires returned from ranches outside of the wolf ''reintroduction'' area indicate that 40 percent of these youngsters have ''experienced one or more recent traumatic events NOT involving wolves''. 20% of these children have recently developed a fear of snakes. 10 percent are having trouble staying focused on events they were usually able to stick with for age appropriate periods.

Post Traumatic Stress Disorder is a major psychiatric illness. While it may exist ''short term'', and dissipate when the precipitating factors (e.g.:—wolves) are removed, the disorder frequently becomes permanent, and, occurring in childhood it may impede the child's normal psychological development. Certainly, ongoing exposure to the events which led to the original symptoms can be expected to interfere with development of a stable psychological outlook.

The serious psychological problems currently being expressed by children in the wolf ''reintroduction'' areas of Arizona and New Mexico can best be addressed by the immediate re-location of the offending wolf population!

In researching the ''reintroduction'' project it is apparent that the ranching families within the area were NOT consulted prior to reintroduction of the wolves!

As a physician who has dealt with children now for 50 years. I am convinced that concerns for the welfare of the children involved MUST take precedence over any and all concerns for the ''wolf project''!!!

JULIA MARTIN, M.D.,
LUCE RANCH,
Blue, AZ.

WEDNESDAY, JUNE 13, 2007 1:51 PM

From: Tom & Jeanie Hutchison.

Subject: Mexican Grey Wolves.

When the Aspen Wolf Pack was terrorizing the Blue River residents, we had several incidences with them as they went back and forth, many times, through our property. One incident in particular sticks in my mind.

It was early January and I was home alone. My husband's mother had suffered a stroke and he was in Tucson to tend to her. It had been raining and snowing quite a bit, and the river was in quite a flood stage. All of my neighbors on this end of the river were gone, and the flooded river made it impossible for me to get out, or for anyone to come in. So not only was I home alone, I could expect no outside assistance if I should need it.

I had not been sleeping well because of the constant wolf harassment of our dogs and our small flock of Barbados Sheep. The wolves would always come in in the middle of the night, and thankfully, my dogs were a great ''early warning system''. It was about 12:30 in the middle of the night when I heard an awful dog fight right in my front yard. I jumped out of bed and ran out the front door barefoot and in my pajamas, and into the snow. I know that my dogs don't have a chance against a wolf, but my brave dogs don't know that. As I was running out the front door I started yelling . . . I can't even tell you what I was yelling, only that I knew I had to break up the fight and protect my dogs. The alpha pair of the Aspen Pack were at my front gate, fighting with my 2 dogs through the wire fence. The wolves ran away to the north toward my neighbor's home. One of my dogs had sustained a bloody cut on the top of his nose, but that was all the damage, that time. (Note: On another occasion, my dogs fought with the Alpha male wolf through a back fence about 50 feet from our back door, and just over the fence from my sheep. That time, the same dog suffered

some cuts to his muzzle. The ''rag-box's'' battery had gone dead.)

I came back into the house for a robe, slippers, flashlight, wolf radio-collar monitor, and my shotgun with ''cracker shells'' in it. I knew the falling snow would soon fill the tracks, so I quickly went into the road to confirm my sighting. Indeed, the two adult wolves had walked right down the road in front of my home and confronted my dogs at the gate, then ran on up the road when I went out. As I was walking toward the pens behind my house to check on our livestock, I heard the ''rag box'' that the Wolf Program people had provided, begin to flash and sound off. This is a battery-operated system that starts making lots of noise and flashing lights whenever it picks up a radio-collar signal from the collared wolves. They were so close to me that I didn't even have the antenna on the radio receiver, and the signal was coming through very loud and clear on my hand-held radio. I knew the wolves had circled back and were coming in on my sheep! I began to run again and started yelling and shooting ''cracker shells'' into the dark. I heard their radio-collar signal lessen and fade as they headed north again.

Needless to say, I came back into the house in a sorry state. I'm in my 60's and far too old to be out chasing wolves through the snow in the middle of a winter night. If anything had happened to me, wolf-caused or not, I wouldn't be here writing this story. I immediately phoned all the Wolf Program people I had phone numbers for. One had the nerve to ask me if I was SURE it was wolves!! Unless they've started radio-collaring very large coyotes . . . yes, it was wolves . . . two of them. Another asked me, well, what did I expect them to do about it?? I suspect I singed his ear hairs with my reply.

JEAN HUTCHISON,
Blue, AZ.

MR. PEARCE: Few things relating to economic impacts on the lake Roberts community, program issues I see (tip if the iceberg) and the affects on my horses with 1 wolf showing up on my property and the affects this had and will have on the Lake Roberts community. The Lake Roberts community is bounded on all sides by the Gila National Forest. Our community has a general store and 4 lodging/hotels. All but one have recently changed hands and are going through renovations. Additionally our community has many retirees and horse ranchetts. The majority of the families here have about 3 or 4 horses and may from time to time have a foal. Our community is very tourist based. People enjoy the lake, head to the cliff dwellings, camp and enjoy the amazing beauty of this area. This is a good community of good people. Everyone here pitches in to help each other. We are all concerned here about wolf impacts. Some people are concerned about speaking up.

I was at a meeting in Silver City this spring where FWS admitted they do not have funding and personnel to properly manage this program but are going to continue to expand. The complaints I have heard and stories continue to horrify me. The lack of investigation, destruction of evidence, bending of rules to suit the program mangers and truthful reporting seems to be always in question.

From a program management standpoint this program has been mishandled on so many levels and I find it hard to believe they are under funded and unable to handle the wolves they have now. Yet they are going to expand. That is a RED Flag to me.

It also appears that they have trouble holding on to quality personnel or have hired dysfunctional personnel or that personnel are shifting between agencies and extreme environmental groups. Not to forget the abuse and lack of customer focus. The customers would be the people with the people living with these wolves being the major customers. I feel all the managers and the people working for them should be focused on the people living with the program first and the wolves second. That is not what has occurred.

I am concerned about the attitudes of the high level wolf managers when they say things like a kid being attacked and killed by a wolf is no different than dieing on the highway . . . we do not stop building highways. What? I see the need for transportation and the safety that has been incorporated into highways and cars and the necessity of travel and transportation differently that the desire for having wolves and the lack of safety considerations of the wolf personnel. This bias of not considering or dismissing child safety very concerning to me. I wonder if they discount my life just as easily or the lives of my four legged family members.

There is also a need transportation and a desire by some for wolves both are not needs. Wolves are not needed in our community of Lake Roberts and I am sure in other communities in and around the Gila and AS National Forests. We function just fine without wolves.

I could go on here but the key is no oversight. Would you fly in a plane that was not independently certified? Would you feel that the airplane developers could be trusted or do you think oversight would be necessary? I feel this program as any that has safety implications should have independent oversight. I also feel the wolf program has been run in a very insensitive way for the people forced to live with the program and writing that up could take pages.

The things I see show signs of a very dysfunctional organization in the wolf program.

I do hope for additional funding for USDA wild life services as it appears they are very under funded to do the investigations necessary. The trails here in the forest are also a mess, dangerous and in disrepair. It would have been nice if the wolf program money had been put into a more positive use where all could enjoy the forest.

I with another local person, organize horse clinics where people come from all over the west to attend. This has a very positive economic impact on the Lake Roberts community as the hotels are filled and meals and other local purchases on non holiday weeks. We do 2 or 3 of these during the summer. Usually June, July and August for more than a week each time. If one wolf incident happens . . . and that would be as much as a horse spooking or being unsettled these clinics will be over. One howl and done forever!

No one wants to come to a beautiful place to put their horse in danger. These are also very expensive horses. The thousands of dollars of positive economic impact to the community will be lost. I worry now about all the horses when they are here.

I can also no longer take my dog on trail rides. He is very sad and depressed about this as am I. My dog has been useful to my safety in the past where he has assisted in running off a bear and lion. Not bad for a little lab mix. I am concerned when I am working my dressage horses in the arena and my dog is not in sight that something bad might happen.

I also breed my horses to expensive warmblood stallions and the foals are often worth more that 7,000 when born. One wolf accident and it is a full economic loss. Often you have to feed the lame horse for the rest of its life. A horse costs at a minimum $1200 to feed and for shots every year. When I raise a foal it is one a year. A lot rides on one foal. This is also true for my neighbors. We have lots of small horse farms here and many of us raise only 1 foal a year. But is more than economics . . . it is really about the loss of safety and enjoyment of my property and the protection of my four legged family members.

While my wolf incident is very minor compared to others they still have had an economic and safety concerns within my family.

After the millers horse ''Six'' was slaughtered. I asked to be educated on how to live with wolves as Defenders say I should. I grew up in Canada and thought I knew but I am always willing to learn. This call was placed to Bruce Thompson about the middle of January 2007. It is now June I am yet to be educated on how to live with wolves. I have directly asked Bruce Thompson head of NM Game and Fish 3 additional times even stating I would get other horse owners in the area together. Still the only call I got was the call I will describe below. I have asked 4 times to Bruce and 1 time to a NM game official. It is now June. My local Game and Fish guy (not part of the wolf program and I think he feels bad) says he is going to try and put something together for me and others to help. He is a good guy and I am disgusted with the rest.

I also asked Bruce Thompson about oversight and other issues with the program and he went into how that is not needed and how FWS, AZDGF and NMGF all work together as one big happy family. I feel with no independent oversight then abuse will occur and it appears with this program that has occurred.

The end of January I did get a call from Saleen Richter (not sure of spelling) from NM Game and Fish she made it clear that she was busy and did I really want educated because wolves would probably not be in Lake Roberts. She went on to discredit the Millers and state how they lived way out there and this is why they had had the wolf problem, and that they leave their horses for weeks at a time. I understand from the millers this is not so. She definitely implied the Millers were not good people and implied they were responsible for the wolf slaughtering their horse and that she was busy there protecting the wolves from their other horses. I said to her what about my injured horse that cannot run as fast as the others, or my neighbors older horse or my other neighbors lame horse or the foals . . . and that often I am gone for weeks at a time on business and I have someone caring for my horses does that make me a bad person? She then made it clear in her implications that she did not want to come out to educate me as to how to live with wolves. All and all a very weird and unprofessional conversation with this NM Game and Fish official and I am offended to be paying for this program.

Then on February 21, I left my home office to put my horses in the barn for the night. I got to my horses and my dog refused to leave the truck. I cannot remember when he has ever not happy bounded out off the truck. My horses were frantic and were racing around their paddock and nervously looking up our mountain which borders with the national forest. They had already run through the electric tape fence that divides two of the paddocks. No horses were seriously injured but my mare that is lame for life with a broken hip did injure her hip again. I did have to administer pain killers (butte) for about 1 week due to this re-injury.

I opened the gate and the horses blasted towards the barn. They never go in their stalls at night until they are clean and hay is in their waiting for them. My one mare later left her stall ran back past me to return to her corral and in my presence kept

stepping forward and nodding with her nose in pointing type behavior looking up the mountain. I did not see a wolf. My eyesight is bad and the mountain has lots of vegetation. I think the wolf was about 100 yards up the hill which is 20 feet from the edge my paddock fence.

I then went to toss a lead rope over her neck and was preparing to halter her when she blasted out (she never does this) and back to the barn. She was covered in a sticky panicky sweat and all my horses were very upset but did calm down when I closed the barn doors. I could have been injured with my mare's serious panic and was lucky that I did not get run over by a 1000 horse.

Horses are prey animals and usually do not like to be confined but on this day they felt their barn was the safest place for them. I found this very interesting and had not experienced this behavior before. Maybe this is why the Millers horse Six ran to his corral . . . he was so panicked he thought it was the only safe place for him. My horses like their barn but often they enjoy being out even in the worst weather.

For the next few weeks not only were they more on edge and looking up the mountain constantly. One horse was always more on watch more than normal. They also lost weight for two weeks and were not eating well during the day when turned out. My horses were not rideable for a week and I even canceled going to a small show (no entry fees lost) due to their upset.

For over a month when my horses were let out of the barn in the morning they walk to the main door and look up the mountain and cautious step out of the barn. In the past they would be let loose from their stalls and confidently trot out of the barn never even looking.

It is summer now and my horses are still in the barn at night. This is extra expense of shavings of over $100 per month. I will be spending 800 more dollars this year on shavings. Also the time to clean the stalls which is more time consuming that cleaning paddocks.

My fencing has to be repaired at a cost of $175 due to this wolf panicking my horses. I can easily see this wolf program is costing me more than $1000 per year not to mention the time expenditure. I do not feel I am getting any benefit from this program only a huge headache and I am not even in a constant wolf impact area like Reserve and Winston New Mexico.

I need to treat the wood in my barn again and make various repairs. I do need to leave the horses out but I am in fear of if that is the night that the wolves come through again? Will I need to board them somewhere again at an additional cost and gas expense.

I can also no longer take 2 horses out leaving one at home without putting that horse in the barn. Where as before my horse would remain at home calmly and eating now they are unhappy, pacing in the stall and not eating. This might seem minor but there has been a major shift in how I work with my horses.

On this day that the horses were upset saw and heard the wolf plane. It is a rarer sighting here . . . and never a good thing to see either. It circled south of my home which is south of Sapillo Creek. The flight report for that day shows the wolf was north of sapillo creek based on the locations given. I did not observe this plane circling north . . . while it could have also I find in interesting that a few hours later there was a wolf on my place.

My horses have seen lion and bear . . . even ridden up on them on the trail. The fear level and panic with this predator was different. When a lion is around the horses will be a bit bothered and I call on of the outfitters and let them know something is around. The predator usually ends up leaving one way or another. Having the right to treat the wolf like the lion and the bear would a helpful start as wolves should not be hanging around my place.

I do worry about the direction of this program and I consider the majority of these wolves very habituated. I am very concerned about children and the people that come out here to camp and trail ride. The tourists that come here want to be safe and have fun. The hunters here (I am not a hunter nor is my family) also have a very positive impact on the communities. I benefit by these business being located in my community. They are a positive economic impact to the communities. I have not yet met one person at the local restaurants or that has stopped to ask directions that were here to see wolves. If they asked about dangerous wildlife they are nervous at the idea of lions let alone wolves.

Thanks again for your time and understanding my story here. I know it was a bit long winded but I wanted you to understand the impact that appears so small is really pretty big.

BARB DAWDY.

THE WOLF AT THE DOOR!

Here's one of those stories as told by Michele White, a friend of Brittney's:

On November 30, 2004, about 8:00 P.M., Brittney Joy and I (Michele White) were sitting in the family room watching TV and we heard one of the dogs, named Tessa, pawing at the door. Then, what we thought was a dog fight was the sound of something much more. Brittney and I ran to the back door and opened it quickly to realize that it was not two dogs fighting, but was a big wolf standing five feet from the door opening. The wolf jumped on the one dog named Tessa, which is five years of age. While we were yelling at the dogs and motioning her inside, the older dog, named Angel, which is 7 years of age, jumped and hit the wolf with her chest. Once the wolf was off Tessa, it started to run the opposite direction which the two dogs followed. Then the wolf turned around and headed toward the house chasing the two dogs. We then slightly closed the door in fear that it would run inside, but the wolf stopped about ten feet from the door and went the other direction. The one dog, Tessa, came in the house and we lost sight of the other dog, Angel, as she was still chasing the wolf. We called and called, and at this point Cassie Joy, Brittney's mother, who was just getting out of the shower when the incident took place, ran out the other door with her pistol. She was wet, barefoot, and in her pajamas. She fired four shots in the air. When Cassie came back in the house, is when Angel came back. Both dogs are spayed females.

Cassie came back in for another gun and a flashlight, plus shoes and a jacket. Then she went out to the corrals, making sure the mare and foal were all right. At this point, Dale Beddow joined her and they came back to the house to use the tracker. This tracker was loaned to them by the wolf office in Alpine because members of the Aspen wolf pack had previously been frequenting the Joy's home and had attacked two of their other dogs in October. (Reported and verified in the Field Notes.—Barbara Marks).

They received no signal and Brittney told them she saw the wolf heading up Bush Creek, so they went back out to haze the wolf away. They found the wolf about 250 yards away. It turned and ran up the hill. They searched for about 20 minutes and couldn't find the wolf, so they fired the gun three times in the air, then returned home.

During this time, Cassie's other daughter, Dustie, was trying to calm her sister down and then made phone calls to get phone numbers of wolf office staff.

There was a foul smell on the one dog, Tessa. It was so bad that we had to put them outside again. At this point, we called Shawn Farry who is in charge of the wolf activity. Cassie told him everything that had happened and he told her he would call Shawna Nelson who was on duty at the time to come right up and investigate.

Approximately 30 minutes after the initial report of the incident, Shawna and Valerie of the ''wolf patrol'' arrived. Shawna then proceeded to inquire about the incident. The residents at the Joy household told Shawna the story that is in the first part of this paper. Shawna then asked if the Joys were sure that the animal that attacked their dogs and invaded their home was a wolf or ''just a common coyote''. They were sure it was a wolf, but did not see a radio collar on it. When they told Shawna about the foul smell on Tess, Shawna smelled the dog. She said no four odor was identified. No investigation of the surrounding area was done at this point. The two women went up Red Hill Road (Forest Road 567) to see if they could get a signal on any of the radio collared wolves.

Cassie then made a call to John Oakleaf of the US Fish and Wildlife Service on her neighbor's suggestion to confirm that a report would be filed. After conveying to him the incident that occurred, he told Cassie that it could have been one of the uncollared wolves that had invaded their privacy. He would have Shawna and Valerie return to the Joy residence to fire off some 'cracker' shells to try and avoid another conflict, which they did.

The following morning, at about 8:00 A.M., Cassie observed the wolf running across an opening up Bush Creek about two hundred fifty yards from their residence and livestock. Jimmy Joy and their neighbor went to investigate. After a short investigation, fresh wolf tracks were found close to where the sighting had occurred. Cassie then called Shawna to report another wolf sighting within sight of their home. About one full hour later, Valerie came to the Joys to now investigate. Cassie then showed Valerie the wolf tracks that were found earlier, and where the sighting had occurred. Valerie could not find the tracks at first. Valerie told Cassie that she thought that the wolf in question was the uncollared male pup from the Aspen pack. Upon returning to the house, Tessa was spotted napping in the sun. At this point, Valerie then confessed to Cassie that the foul smell that Cassie had pointed out the night before was obvious. She also said it came from scent glands wolves have. Cassie asked Valerie if they could come back and fire off some more 'cracker' shells because she thought that the wolf was still nearby.

That evening, Shawna and Valerie returned to perform a short investigation. That evening, Shawna returned to take a written report.

JUNE 13, 2007.

MR. PEARCE: We would like to justify why our 13 year old daughter, Micha Miller has to carry a firearm everytime she steps outside. It is because the Durango Pack has been in our yard four times in five weeks, within feet of our door two times & the other two times they have been within 70 yards of the house. That is a little too close for comfort & Micha needs a way too protect herself when she's outside. Micha is very capable of handling a pistol or any other firearm, for that matter, extremely safely. She has taken her Hunter's Safety & passed with a 98%, she has also been around firearms all her life & enjoys hunting. I can honestly say she is safer carring a weapon than she is walking out of the house without it because of the habituated Durango Pack.

The Pack was released the last of April & they were in our yard on the 1st of May. The Wolf Recovery Program released them at Miller Springs about 40 miles south of our house & they were here on the ranch in two days. The reason they came up here is because AF924 was in our yard multiple time from September 2006 until November 2006 when she was captured & her mate was shot for 3 depredations. AF924 still has 2 depredation strikes against her as does her new mate AM973.

We are not ranch owners, but we have lived & worked on the Adobe Ranch for 9 years, this is our home. My husband, Mike Miller, takes care of about 500 head of mother cows on about 100 square miles. He has to check one pasture twice a day to make sure the Durango Pack has not killed a cow or calf, as the Pack is denned up in the middle of it. The cattle may not be Mike's but he is in charge of taking care of them & has to answer to the manager of the ranch if anything happens to them. Mike's hands are tied when dealing with the Wolf Recovery people directly.

When we were kids we didn't have to worry about carrying firearms or anything stalking us, we could just enjoy being kids. Our daughter & the other kids in the Recovery area don't have that privilege. They have to watch over their shoulders & stay close to their homes & not venture out to explore their own backyards. The fear of having a wolf attack them is so great that they can't have fun anymore. It is unfair to our kids what the Wolf Program & Bill Richardson has done to them!! They have made our kids prisoners in their own homes! They need to be told ''The wolves are NOT more important than our children's lives & well being!!!'' What I'm afraid of is one of our children getting seriously hurt or even killed before the program & Richardson will open their eyes to how wrong this whole program is.

The Durango Pack are not the only wolves close to our home. There is a black collared wolf that John Oakleaf, with the wolf program, claims to know nothing about. They say they don't have a black wolf. We are not the only one's to have seen it, two neighbors have also seen it. This isn't the first time we've heard that they don't have a certain wolf. We had a real light colored wolf in our yard & Dan Stark, another with the wolf program said to us & I quote, ''That's not one of our wolves!'' There are more wolves out there than the Wolf Program is admitting.

The wolf program people are supposed to be watching this Durango Pack to keep them out of our yard. When the workers are out here they are sneaking around, they go by the house & turn around just over the hill from the house or sometimes in the driveway, then drive away real fast thinking no one has seen them, instead of coming up to the house & letting us know if the wolves are in the vicinity or if we might have information that could help them track the wolves.

The Durango Pack has totally disrupted our lives! The things we did without worry, like working in the yard or mowing the grass, we now have to be armed & very aware of our surroundings. The Durango Pack are not ''problem'' wolves or ''nusance'' wolves, they are habitual wolves. They will not stop coming up into yards & hanging around people no matter how many times they are captured & re-released. The only way to stop a habitual wolf is to permanently remove them by any means necessary!

Thank you, Mr. Pearce, for informing everyone that the Wolf Program is not as wonderful as the Program wants them to believe. We appreciate your concern about the families in the Recovery Area. Thank you for all your help.

Sincerely,

MIKE, DEBBIE, & MICHA MILLER.

NEW MEXICO WOOL, GROWERS, INC.,
June 15, 2007.

Hon. STEVE PEARCE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN PEARCE: We are writing to you today on behalf of the membership of the New Mexico Wool Growers, Inc. the state's oldest livestock trade organization, in reference to the Mexican wolf reintroduction program. First we would like to thank you for everything you and your staff have already done on this issue. There is no question that you are committed to your New Mexico constituents and the livestock industry. With all that you have already done we know that you understand the pain, anguish and loss that has and is being suffered here in New Mexico.

We are seeing that folks have become hopeless in the face of a predator placed in their midst by their own government. That our government has been unwilling or unable to address the needs of the citizens whose lives they are destroying. It is not sensationalism to point out that children are not even safe in their own yards or in walking back and forth from their homes to the school bus. Life in America has changed since the introduction of this program and children and families should not have to be afraid to go outside. With that said, we are writing to once again ask you to do whatever you can to reduce the impact of the program on children and families as well as livestock and pet owners in the recovery area.

The public has been mislead for nearly a decade with the theory that no one is suffering losses at the mouths of wolves and that if there are losses they are being amply compensated. Nothing could be further from the truth. Any paltry compensation is not coming from the government that caused the loss, nor does it begin to cover the costs to private property owners. Furthermore, there is no way to put a monetary value on human pain and suffering. Americans deserve to feel safe and they deserve to be paid for what the government has so willingly taken from them.

The Mexican wolf program is termed ''experimental and non-essential.'' There is ample documentation that the experiment has failed and it must be terminated. There are wolves in the country and they need to be allowed to survive, or not, on their own. Families and property owners must have the ability to protect themselves without fear of fine or prison.

In the early years as settlers moved west, the prey base was limited and wolves turned to what was available—livestock. That holds true today under the conditions we are experiencing, but livestock is not the only prey, pets, children and families are part of the prey today.

There appear to be only two options for the program at this point. One is to totally withdraw funding and let the animals compete for survival just as other wildlife must do. The other is for the government to come up with an appropriation to cover the very real costs of the program on the people who are forced to live with these government owned and managed killing machines every day.

Once again we are thankful for all your work on this and other issues. If we can be of service to you, please do not hesitate to contact us.

Sincerely,

MIKE CORN,
President.

NEW MEXICO FEDERAL LANDS COUNCIL,
Roswell, NM, June 15, 2007.

Hon. STEVE PEARCE,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN PEARCE: We are writing to you today on behalf of the membership of the New Mexico Federal Lands Council, which represents ranchers who utilize federal and state lands. This letter is in reference to the Mexican wolf reintroduction program. We are very fortunate that you understand the pain, anguish and loss that has and is being suffered here in New Mexico. Your commitment to your constituents and the ranching industry has been a great attribute in dealing with this program. Thank you to you and your staff for the interest you have shown and the assistance that you have already given.

Life in New Mexico has changed since the start of the Mexican wolf reintroduction program. Residents in parts of New Mexico are not safe to let their children go outside in the yard to play or even to walk to the bus stop from their home. This is truly a tragedy. We are seeing that folks have become hopeless in the face of a predator placed in their midst by their own government. That our government has been unwilling or unable to address the needs of the citizens whose lives they are destroying. With that said, we are writing to once again ask you to do whatever you can to reduce the impact of the program on children and families as well as livestock and pet owners in the recovery area.

For nearly a decade the public has been misled with the theory that no one is suffering losses at the mouths of wolves and that if there are losses they are being amply compensated. Nothing could be further from the truth. Any paltry compensation is not coming from the government that caused the loss, nor does it begin to cover the costs to private property owners. Additionally, there is no way to put a monetary value on human pain and suffering. Americans deserve to feel safe and they deserve to be paid for what the government has so willingly taken from them.

The Mexican wolf program is termed ''experimental and non-essential.'' There is ample documentation that the experiment has failed and it must be terminated. There are wolves in the country and they need to be allowed to survive, or not, on their own. Families and property owners must have the ability to protect themselves without fear of fine or prison.

When people started settling in the west, the prey base was limited and wolves turned to what was available—livestock. That holds true today under the conditions we are experiencing, but livestock is not the only prey pets, children and families are part of the prey today.

There appear to be only two options for the program at this point. One is to totally withdraw funding and let the animals compete for survival just as other wildlife must do. The other is for the government to come up with an appropriation to cover the very real costs of the program on the people who are forced to live with these government owned and managed killing machines every day.

Once again we are thankful for all your work on this and other issues. If we can be of service to you, please do not hesitate to contact us.

Sincerely,

MIKE CASABONNE,
President.

MONDAY, JUNE 25, 2007 11:00 A.M.

From: Robert Flowers
To: Charters, Tim.
Subject: WOLF ENCOUNTER.

In Sept. 06 bow elk hunt I was hunting with a freind in the upper edge of 16c. The opening morning the bulls were sounding off and very close to camp. We stalked the herd for several hours until they got down into lower, open country. That night we caught them going back to higher ground. We could

not catch up with them and noticed some very large, fresh ''k–9'' tracks. The next morning we expected to intercept the herd in the same area, but not a bugle one. We decided to go up higher ground to find them. We drove on a road that skirted the adobe and follwed it into a creek that washed the road out. We then walk to the bottom of the draw to look for sign. We found sign!!! A freshly killed calf elk. Blood was still wet and the carcas warm. We found large, fresh ''k–9'' tracks, and long strands of grey hair in the brush. We must have run the wolves of the kill. Needless to say we saw, nor heard any more elk the remainder of the hunt.

ROBERT D. FLOWERS,
Dexter, NM.

WEDNESDAY, MAY 30, 2007 2:23 P.M.

From: jeannie jones.

Subject: Hello Wolf!!

As I was in the yard cleaning out a pickup a WOLF caming trotting thru the meadow! I ran for a camera and binoculars (for the collar). He crossed to the road and disappeared. NO picture.

It looked like it might have had a collar but not for sure.

So much for them laying around in the heat of the day! The time was exactly 1:30 PM and it was 78 degrees.

Guess the poor thing was hungry and hunting for the next innocent thing to kill or cripple.

May 29, 2007.

The Acting CHAIRMAN. The time of the gentleman has expired.

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DICKS. The restoration of wolves in the United States is a conservation success story. Wolves in the Great Plains and the Northern Rockies have made a dramatic comeback.

Mr. PEARCE. Will the gentleman yield?

Mr. DICKS. I will not yield. The gentleman had his 5 minutes. I am going to take my 5 minutes.

Mr. PEARCE. I thank the gentleman, who has no wolves in his district.

Mr. DICKS. And we need to let the Mexican wolf population have the same chance.

There is no doubt that there have been problems with the reintroduction, but we cannot cancel the entire program because of these isolated problems. There are programs in place that compensate livestock operators when wolves prey upon their stock. I am in favor of working to streamline and expand these programs. I am also in favor of pushing the U.S. Fish and Wildlife Service to work more closely with the affected livestock operators.

Finally, I believe we cannot interfere with the Endangered Species Act, and that's what the gentleman is attempting to do here. His amendment would overturn the Endangered Species Act, something that we have never done on this House floor that I can remember, and I don't think we should start today.

I have experience with the Red Wolf Program at Point Defiance Zoo in the State of Washington where we regenerated the population, and then we introduced them into North Carolina. That program has worked very successfully. We have wolves in Alaska. We have wolves in Canada. There were wolves in New Mexico. And this is part of nature.

I think the gentleman is completely overreacting to this. I urge him to withdraw his amendment and not to try to overturn the Endangered Species Act here on the floor of the House.

I urge all my colleagues to vote strongly against this ill-considered amendment.

The Acting CHAIRMAN. Does the gentleman from Washington continue to reserve his point of order?

Mr. DICKS. I withdraw my point of order.

The Acting CHAIRMAN. The gentleman withdraws his point of order.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. TIAHRT. Mr. Chairman, there are really two ways to proliferate wolves, one is in the wild, where they respect their distance from humans, and the other is in captivity, where they have no respect for humans. The Mexican wolves have been propagated and proliferated in captivity, and as a result, they encroach into areas that put humans at risk.

I think the gentleman from New Mexico has brought up a valid concern because these isolated problems are now coming home to people who live in this area and having to carry firearms with them everywhere they go.

I would like to yield to the gentleman from New Mexico to let him complete his point.

Mr. PEARCE. I would thank the gentleman for yielding.

Recently, in Catron County, the local county commissioner started posting signs like this, ''Dangerous Wolf Area.'' It just is a continuation of the theme that we're trying to accomplish something in the Second District of New Mexico that you're not willing to accomplish in your own districts.

I will tell you that we heard testimony in the Resources Committee that described the most provocative sound to a wolf is a crying baby or a laughing baby. It's a matter of time until these wolves, which will stalk for weeks and weeks and weeks at a time around local homes, it's a matter of time until a wolf catches one of these children. Their blood will be on your hands, my friend, because we've had the testimony in committee.

I would say that this has nothing to do with endangered species but instead has to do with protecting the lives of the people and the livestock of the Second District.

Mr. DICKS. Mr. Chairman, I would like to have a ruling from the Chair whether the gentleman's comments about blood on my hands is a violation of the House Rules.

The Acting CHAIRMAN. Does the gentleman demand the gentleman from New Mexico's words be taken down?

Mr. DICKS. Yes, I do.

The Acting CHAIRMAN. The gentleman will suspend.

The Clerk will read the gentleman's words.

Mr. PEARCE. Mr. Chairman, I would ask unanimous consent to withdraw my words.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The Acting CHAIRMAN. The gentleman may proceed.

Mr. PEARCE. Thank you, Mr. Chairman.

We again have the issue of depredation. There is no fund that pays ranchers when their livestock is killed. So we have the livestock, which in these days of ranching, ranching is a very hard business, and we have the livestock which is killed by these predators that continue to eliminate more and more livestock each year, with no payments being made from Fish and Wildlife Service.

I would simply point out, and I would thank the gentleman from Kansas for yielding, that this program is restricted to only two very rural parts of America. It is wrong; it is wrong-headed.

I would thank the gentleman from Washington for his suggestion to withdraw the amendment but would instead ask for a vote on the amendment.

Mr. TIAHRT. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. PEARCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT NO. 19 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. . None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me again offer my appreciation to the chairman of the subcommittee and the ranking member of the subcommittee for the courtesies of both of their staff.

This amendment was offered last year. It is a continued commitment I have to the Smithsonian and the value of its programs and outreaching across America.

My amendment is simple, and it simply has the Congress on record to encourage and not limit outreach programs administered by the Smithsonian Institution, as I indicated, an identical amendment that was offered last year.

What are these outreach programs? These outreach programs involve reaching out to communities, African American communities, Asian American communities, Latino communities, Native American communities, and yes, New Americana. It is a program dealing with Kindergarten through college age museum education outreach opportunities. It enhances the K–12 science education programs and facilitates the Smithsonian's scholarly interactions with students and scholars at universities. Some would say that it brings the scholars of America out of the attics of America.

In addition, it has a program called the Mobile Museum, an exhibit that can visit up to three venues per week in the course of only 1 year, at no cost to the host institution or community. The net result is an increase by 150 the number of outreach locations to which SITES shows can travel annually. And in addition, through its flexibility in making short-term stops in cities and towns from coast to coast, a mobile museum has the advantage of being able to frequent the very locations where people live and work.

I believe America is a great country. We have a very rich history, and that history sometimes is lost because of the lack of technical assistance and education of our community. For example, may I share with my colleagues, the community in Houston called Freedmen's Town? It is a community that was settled by freed slaves. It now has a few remaining structures after urban revitalization. Part of the complexity of it is a lack of education, understanding of the value. Artifacts, museums, preservation, all of that is part of the work of the Smithsonian outreach that educates the community about the precious jewels that they have. Cobblestone streets that were laid by slaves, churches that were built by slaves, and a variety of other facilities, like an old school that was attended by freed slaves.

The Smithsonian's outreach program educates us about our history, provides mobile museums, connects America, connects us to this fabulous and extensive museum's holdings of the Nation's history by visual scenes. And so I would ask my colleagues to consider the importance of reaffirming, if you will, the value of the outreach program of the Smithsonian.

Mr. Chairman, thank you for this opportunity to speak in support of my amendment to H.R. 2643 the Interior and Environment Appropriations Act of 2008 and to commend Chairman DICKS and Ranking Member TIAHRT for their leadership in shepherding this bill through the legislative process. Among other agencies, this legislation funds the Smithsonian Institution, which operates our national museums, including the Air and Space Museum; the Museum of African Art; the Museum of the American Indian; and the National Portrait Gallery. The Smithsonian also operates another national treasure: the National Zoo.

Mr. Chairman, my amendment is simple but it sends a very important message from the Congress of the United States. My amendment provides that none of the funds made available in this act be used to limit outreach programs administered by the Smithsonian Institution. An identical amendment was offered to last year's appropriations bill, H.R. 5386, and was adopted by voice vote.

Mr. Chairman, the Smithsonian's outreach programs bring Smithsonian scholars in art, history, and science out of ''the nation's attic'' and into their own backyard. Each year, millions of Americans visit the Smithsonian in Washington, DC. But in order to fulfill the Smithsonian's mission, ''the increase and diffusion of knowledge,'' the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian's outreach programs serve millions of Americans, thousands of communities, and hundreds of institutions in all 50 States, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites. Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the Nation.

The Smithsonian's outreach activities support community-based cultural and educational organizations around the country; ensure a vital, recurring, and high-impact Smithsonian presence in all 50 States through the provision of traveling exhibitions and a network of affiliations; increase connections between the Institution and targeted audiences (African American, Asian American, Latino, and native American, and all of America); provide kindergarten through college-aged museum education and outreach opportunities; enhance K–12 science education programs; facilitate the Smithsonian's scholarly interactions with students and scholars at universities, museums, and other research institutions; and publish and disseminate results related to the research and collections strengths of the Institution.

The programs that provide the critical mass of Smithsonian outreach activity are: the Smithsonian Institution Traveling Exhibition Service (SITES), the Smithsonian Affiliations, the Smithsonian Center for Education and Museum Studies (SCEMS), National Science Resources Center (NSRC), the Smithsonian Institution Press (SIP), the Office of Fellowships (OF) and the Smithsonian Associates (TSA), which receives no federal funding.

To achieve the goal of increasing public engagement, SITES directs some of its federal resources to develop Smithsonian Across America: A Celebration of National Pride. This ''mobile museum,'' which will feature Smithsonian artifacts from the most iconic (Presidential portraits, historic American flags, Civil War records, astronaut uniforms, etc.) to the simplest items of everyday life (family quilts, prairie schoolhouse furnishings, historic lunch boxes, multilingual store front and street signs, etc.), has been a long-standing organizational priority of the Smithsonian.

SITES ''mobile museum'' is the only traveling exhibit format able to guarantee audience growth and expanded geographic distribution during sustained periods of economic retrenchment, but also because it is imperative for the many exhibitors nationwide who are struggling financially yet eager to participate in Smithsonian outreach. As economic downturn and uncertainty continue to erode the ability of museums to present temporary exhibitions, the ''mobile museum'' promises to answer an ever-growing demand for Smithsonian shows in the field. A single, conventional SITES exhibit can reach a maximum of 12 locations over a 2- to 3-year period.

In contrast, a ''mobile museum'' exhibit can visit up to three venues per week in the course of only 1 year, at no cost to the host institution or community. The net result is an increase by 150 in the number of outreach locations to which SITES shows can travel annually. And in addition to its flexibility in making short-term stops in cities and towns from coast-to-coast, a ''mobile museum'' has the advantage of being able to frequent the very locations where people live, work, and take part in leisure time activities. By establishing an exhibit presence in settings like these, SITES will not only increase its annual visitor participation by 1 million, but also advance a key Smithsonian performance objective: to develop exhibit approaches that address diverse audiences, including population groups not always affiliated with mainstream cultural institutions.

SITES also will be the public exhibitions' face of the Smithsonian's National Museum of Mrican American History and Culture, as the planning for that new Museum gets under way. Providing national access to projects that will introduce the American public to the Museum's mission, SITES in FY 2008 will tour such stirring exhibitions as NASA ART: 50 Years of Exploration; 381 Days: The Montgomery Bus Boycott Story; Beyond: Visions of Planetary Landscapes; The Way We Worked: Photographs from the National Archives; and More Than Words: Illustrated Letters from the Smithsonian's Archives of American Art.

To meet the growing demand among smaller community and ethnic museums for an exhibition celebrating the Latino experience, SITES will issue a scaled-down version of the National Museum of American History's 4,000-square-foot exhibition about legendary entertainer Celia Cruz. Two 1,500–square-foot exhibitions, one about Crow Indian history and the other on basket traditions, will give Smithsonian visitors beyond Washington a taste of the Institution's critically acclaimed National Museum of the American Indian. Two more exhibits, In Plane View and Earth from Space, will provide visitors in the field with a taste of the Smithsonian's recently opened, expansive National Air and Space Museum Udvar-Hazy Center.

Several exhibit tours will be extended by popular demand. The most important of them are The American Presidency and Our Journeys, Our Stories, the original itineraries of which could not accommodate multiple exhibitor requests.

For almost 30 years, The Smithsonian Associates—the highly regarded educational arm of the Smithsonian Institution—has arranged Scholars in the Schools programs. Through this tremendously successful and well-received educational outreach program, the Smithsonian shares its staff—hundreds of experts in art, history and science—with the national community at a local level.

The mission of Smithsonian Affiliations is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country. There are currently 138 affiliates located in the United States, Puerto Rico, and Panama. By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The National Science Resources Center (NSRC) will strive to increase the number of ethnically diverse students participating in effective science programs based on NSRC products and services. The Center will develop and implement a national outreach strategy that will increase the number of school districts (currently more than 800) that are implementing NSRC K–8 programs. The NSRC is striving to further enhance its program activity with a newly developed scientific outreach program introducing communities and school districts to science through literacy initiatives. Some of NSRC's goals are:

Double the number of school districts implementing NSRC K–8 programs, growing from an estimated 15 percent of the school population to 30 percent

Significantly expand national outreach programs to ethnically and culturally diverse school districts through the work of the NSRC's three centers of excellence

Engage 125 school districts—representing an additional 5 percent of the United States K–8 student population—bringing the impact of the NSRC's work from 20 percent to 25 percent of the nation's youth

Continue to develop and bring first-class educational resources to the nation by forging partnerships with school systems, educators, education and museum professional associations, and others to expand opportunities for development and dissemination of Smithsonian-based education resources

Through a collaborative effort with other Smithsonian education units, expand the educational opportunities available throughout the country, particularly in the area of science education reform

Expand the number of science materials currently available to school districts for grades K–3 and continue pursuing newly-published children's books, which will enhance science education programs throughout the country

Continue to develop and bring first-class educational resources to the nation by forging partnerships with school systems, educators, education and museum professional associations and others to expand opportunities for development and dissemination of Smithsonian-based education resources.

In addition, through the building of the multicultural Alliance Initiative, the Smithsonian's outreach programs seek to develop new approaches to enable the public to gain access to Smithsonian collections, research, education, and public programs that reflect the diversity of the American people, including underserved audiences of ethnic populations and persons with disabilities.

For all these reasons, Mr. Chairman, I urge adoption of my amendment and thank Chairman DICKS and Ranking Member TIAHRT for their courtesies, consideration, and very fine work in putting together this excellent legislation.

Mr. DICKS. If the gentlewoman would yield, we are prepared to accept the gentlelady's amendment. We accepted it last year. We think it's a positive amendment.

Mr. TIAHRT. Will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I would be happy to yield.

Mr. TIAHRT. I wanted to congratulate the gentlewoman on a fine amendment. We have no problems with it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I conclude by thanking both the chairman and the ranking member, and I ask my colleagues to support this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

□ 1900

AMENDMENT NO. 34 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Clover Bend Historic Site.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Thank you, Mr. Chairman.

First I want to thank the chairman of the committee. I especially want to thank the ranking member, my friend from Kansas, for all their good work on this bill. I know a lot of good work went into this.

For one, I am still concerned that our overall spending levels in growing this bill are roughly twice the rate of inflation, I think 7.6 percent over the President's request. But I know a lot of good work has gone into this.

My amendment specifically would ensure that none of the funds in the bill would go to fund the Clover Bend Historic Site in Clover Bend, Arkansas, which, again, is one of the earmarks that is place in the bill. I don't mind admitting before this House that I am not a huge fan of earmarks. I am certainly not here to say they are all bad. Many are worthy. Many do good things.

But too often, as I look at the earmarking process, too often we see a triumph of the special interest over the public interest. Too often we see a triumph of seniority over merit. Mr. Chairman, up until recently, too often we saw a triumph of secrecy over transparency.

I will be the first to admit that this particular amendment and earmarks, in general, are a very small portion of the Federal budget. But, Mr. Chairman, I fear they are a very large portion of the culture of spending in this institution.

Mr. Chairman, I've been a veteran of several of these earmark debates. They tend to follow several different lines of argument. Typically a Member will come to the floor to defend his earmark and say he knows his district better than anybody else. That is true. They typically come to the floor. They will say, well, good things can be done with this money.

I am prepared to concede both of these points. I know the Member who offered this project knows his district better than I do. I know good things could be done with this money.

But let's put this expenditure in context, Mr. Chairman. We still have a deficit. It is declining, but we still have a deficit, which means that until we balance the budget, we are raiding the Social Security trust fund. In addition, spending is exploding. Look at what is happening in entitlement spending, which threatens to bankrupt future generations. Right now, we are on a fiscal path to either double taxes on the next generation or to have little Federal Government besides Medicare, Medicaid and Social Security. Yet, as I look around, almost every single State in the Union is running a surplus.

So, Mr. Chairman, I ask myself a simple question. There are a number of earmarks submitted in this bill. Again, I am sure good things can be done with this money. But can we continue, given this context, to fund earmarks of this type simply because, one, we have done it before, simply because we are creative and we can think of these things, simply because it is a good project?

I am not here to necessarily say it is a bad project. But given the entitlement crisis, given the fact that our Democratic colleagues in their budget resolution voted for the single largest

tax increase in American history, I just ask myself this question, is it truly a priority? Not is it bad, not is it wasteful, but is it truly a priority? Because every time we plus up some Federal budget, we are having to lower some family budget.

Again, I know the gentleman from Arkansas knows his district better than I do, but I know my district better than he does. Taxpayers from the Fifth District of Texas are going to have to help fund this particular earmark.

Mr. Chairman, I just fear that if we end up saying yes to everyone's program today, it is just a matter of time before we end up saying no to our children's future tomorrow. It is a small step. It is a small earmark. I understand this. But if you are going to lead, you need to lead by example. This is one small step we can take for fiscal sanity.

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

Mr. BERRY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. MCDERMOTT). The gentleman from Arkansas is recognized for 5 minutes.

Mr. BERRY. Mr. Chairman, I want to thank Chairman DICKS and the ranking member, Mr. TIAHRT, for their leadership on this subcommittee and for their bipartisan approach to these issues. I rise in opposition to the Hensarling amendment. I respect his right to offer the amendment.

I find it interesting that we have a sudden attack of fiscal responsibility on the other side of the aisle after adding $3 trillion in the last 6 years to the national debt. I find it interesting that we suddenly have an attack of fiscal responsibility after a Democratic administration had created almost a $6 trillion surplus, and that has been squandered by the Republicans across the aisle.

I think it is sad that we would object to a small community in rural Arkansas that has put tens of thousands of dollars into this project to preserve a little bit of history and a little bit of heritage in this wonderful community.

Clover Bend was one of the earliest settlements in Lawrence County, serving as a significant river landing for the area's bustling cotton and timber industry. Remote as the settlement was, it clung to existence. In 1829, steamboats were finding their way to its landing. The settlement was established as an important landing in river travel. Some years later, the actual town was moved from the river to the present site about 2 miles east.

The Clover Bend Historic Preservation Association was formed in 1983 at the historic site located on the former Clover Bend school campus. In 1937, a transaction was made through the Resettlement Administration to buy the plantation and establish 86 farmsteads from the original Clover Bend plantation. It gave 86 families in the depths of the Great Depression a new start, a new chance. It created a wonderful rural community where people came together for the common good to get the job done. It is something that is well worth preserving.

On the morning of May 4, 1939, after a decade of near starvation for many Lawrence County farmers, some 36 families gathered on the banks of the Black River to receive keys to their new homes. These were the first families chosen from the many to buy about 45 acres with a house on it. The site contains ten structures and was added to the National Register of Historic Places as an historic district in 1991. Clover Bend is a multipurpose site with a wide range of historical significance. The ultimate goal for Clover Bend is to become a fully functional museum and education center.

Funds will be matched by the State of Arkansas. This assistance is needed in order for the Preservation Association to continue to maintain and promote Clover Bend to the region and to preserve what is there and what the heritage of that place is. Through the countless hours of volunteers in the region and the support of the State, this request will allow the goal of the Preservation Association to become a reality.

As is the case so many times, there is one person, a wonderful woman named Viola Meadows, that has held all this together. Through tons of sweat equity, she has made it possible for us to be here today to see this entire project come to fruition. It is not like they are asking us to pay for the whole thing. They are asking us for just a little bit of help. I urge a ''no'' vote on this amendment.

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

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I make no apology for the amount of money in this bill to address problems in Member districts or the process through which projects were selected. I just want to tell the gentleman from Texas, Mr. TIAHRT and I did this on a bipartisan basis. We worked this out. Our staffs worked together. We went through these projects very carefully. We only approved one out of every ten projects that were requested by the Members.

Now, I would remind the gentleman that in the Constitution of the United States, the most fundamental power of the United States Congress is the power of the purse, the power of the Congress to redress grievances of the American people, to help on projects that are important to the Members' districts.

Now, in this budget, we also laid out all the projects that are requested by the President. I would just, as one example, point out to the gentleman that in 2004 in terms of STAG grants, there were $533 million; in 2005, $513 million. These are all earmarks.

□ 1915

In 2006, $282 million. In 2007, zero. In 2008, $140 million. This is responsible. The administration even says we met their test on earmarks. We went through these projects carefully, we looked at them closely, and we did it in a professional way.

So I would urge the gentleman to consider these facts. We are not going to be doing this the way it was done in the past, but we have the right to do it. And even the gentleman from Texas can't give away the power of the purse, because it is in the Constitution of the United States, and the Founding Fathers of this country stated that this was one of the most important powers that the Congress possessed. Throughout history, the British Parliament worked feverishly over the years to gain the power to be able to decide and limit the executive, the king in this case, of Britain. That was one of the most important powers that the Parliament developed over many hundreds of years.

So I am here tonight to defend our right to take care of our constituents, and I defend the process by which we did this. We did it in a professional way. We did it with both parties sitting in the same room looking at all these projects, helping each other, so we didn't make any mistakes.

I just want the gentleman to know how strongly I feel personally about this. We did a good job, and we cut it way back, and I thought the gentleman from Texas would be here applauding what we did, not attacking it.

Mr. Chairman, I withdraw my reservation.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 44 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 44 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the St. Joseph's College Theatre.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this amendment would restrict funding for the St. Joseph's College theater

renovation located in Indiana. Again, I want to follow up on some of my earlier comments and address comments that the chairman made. If he was listening to my earlier comments, I started out complimenting much of what I see in the bill, and to the extent I see a reduction in the number of earmarks, I take that to be a very good thing.

But I was elected by the people of the Fifth District of Texas, and with all due respect to all of my colleagues, I yield my voting card to no one or my judgment to no one. So I am not here to impugn the judgment of the chairman, but I may have different concerns, and the people of the Fifth Congressional District of Texas may have different concerns as well.

I believe that historical preservation is a very good thing, but I know that much of the funding that has come from the Save America's Treasure program, what started out ostensibly geared toward Betsy Ross and the Declaration of Independence, has ended up funding so many other different projects.

Do you know what? I have got a lot of worthy historical and cultural projects in my own district, in the Fifth Congressional District of Texas. I am just not sure, at a time when Members, many who have come to this floor and said they would not raid the Social Security trust fund; as long as we are running a deficit, and we are doing that; recently the Democrat majority in their budget resolution voted to increase the debt ceiling; in their budget resolution, they voted for the single largest tax increase in history; all I question is, given all that background, government will be paid for. Sooner or later, government will be paid for, either by this generation or the next.

So I am not saying these are necessarily bad projects, but I do question whether or not, given the context, particularly the entitlement spending crisis that is looming, if they are truly a priority. Clearly they are a priority in the mind of the chairman, and I sincerely respect his opinion, but they are not necessarily a priority to me or the people of the Fifth District of Texas.

In my district, I have the Grand Saline Salt Palace. It sits on top of one of the largest salt mines in the entire United States of America. It is a very unique museum, actually made of salt. They give away free salt samples so people won't go and lick the walls. This is something that is unique in America, but is it truly a priority that we should have Federal funding for? I don't necessarily think so.

Now, there has been a debate in this body before about the history of the hamburger. Well, in the State of Texas, they say the birth of the hamburger was in Athens, Texas, which happens to be in the Fifth Congressional District that I have the honor of representing. It was invented in the 1880s by Mr. Fletcher Davis at 115 Tyler Street in Athens. Maybe that is something that is worthy of Federal expenditure to preserve this.

The Texas State Railroad that takes people on an old steam locomotive throughout beautiful Piney Woods of east Texas has been in existence since the 1800s. It has some funding challenges. It is something that I think is worthy of preservation. But, again, given the context of the largest tax increase in American history, given that people are still raiding the Social Security trust fund, it is not something I personally feel comfortable coming to this body and requesting that we use Federal funds for these purposes.

These are great historical and cultural locations within my district, but I am not sure they rise to the occasion to meet the National Treasures Act language, particularly when, again, all this spending has to be paid for.

So, I understand that people are experts on their district, that they want to defend their projects. But, again, it is taxpayers from, among other places, the Fifth Congressional District of Texas, that are having to pay for all this. Therefore, they start to lose their American treasures, their ability to buy a home, their ability to send their children to college, their ability to start a new business. I am still working to preserve those American treasures, and that is why I submitted this amendment, and I urge its adoption.

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

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the recognition, and I rise in strong and adamant opposition to the gentleman's amendment. During my remarks, I would like to make three points and also indicate that this project is in the City of Rensselaer, Indiana, at St. Joseph's College. It is for the restoration of a historic theater that continues to be used by the faculty and students of the school, as well as the constituents and citizens of Rensselaer and Jasper County, Indiana.

The total cost for the renovation of this project is about $965,000. The request and approval by the subcommittee was for $100,000. I would want to thank the chairman of the subcommittee, Mr. DICKS, as well as the ranking member, my good friend, Mr. TIAHRT, for their consideration of this very important project.

The first point I do want to make is that this has great value to the community in which it is situated. While the gentleman who offered the amendment enumerated a whole series of other possible projects in another State, that is not the subject of this amendment. It is the restoration of a historic theater at St. Joseph's College in Rensselaer.

It was built in 1914 and designed in revival style, referred to as Collegiate Gothic. It is located in the college's historic district, and the goal of the project is to restore the theater as an attractive, useful centerpiece for the college and the City of Rensselaer while retaining its notable contribution among historic sites and structures in the great State of Indiana.

The second point I would want to make, and I would take off on the remarks made by the chairman, is he suggested that we have a right to spend this money. I agree with that assertion. I would take it a step further and say, we have a responsibility to make an investment in this country. We need to invest to preserve the past so we can continue to learn its lessons. We need to invest in this country for our present and for those who live here today. We need to invest in this country and its infrastructure for the future of this Nation and for the children of this generation and those yet to come. We have a responsibility as well as a right.

The gentleman from Washington, Mr. DICKS, also mentioned we are here to help each other out. I would conclude by stressing that point.

While I have a great deal of respect for the gentleman from the Fifth District of Texas, I happen to represent the First District in Indiana, and the last time I looked, society and the purpose of us joining together in a free government is to help each other out and to look out for each others' interests.

It is not the government that is paying this money, as the gentleman indicated; it is the people of this country who are paying for this project in Rensselaer, Indiana, that has value, which is the same reason why I think it is absolutely appropriate that taxpayers in places like east Chicago, Indiana, and Hobart, Indiana, expend some of their tax moneys as individuals to help the City of Dallas, for example, with their floodway to ensure that there is not property damage in the future, that there is not loss of life, that there is not injury to others in this country.

It is why I think there is a noble reason to ask people who live in Lowell, Indiana, and Chesterton, Indiana, and Gary, Indiana, to help fund research taking place at Oak Ridge in Tennessee. At first blush, why should we have an interest in making that investment? Because it inures to the benefit of not only everyone who lives in the United States, but everyone worldwide.

We should get over this concept that we have to be parochial in what we do and get over this concept that we should be selfish about what we are about. We are here to make an investment, and, as the gentleman from Washington rightfully pointed out, to help each other out.

So I strongly oppose the gentleman's amendment. I absolutely think it is bad policy, and I would ask my colleagues' support.

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

Mr. DICKS. I move to strike the requisite number of words.

Mr. Chairman, I want to say to my friend from Indiana, who has been a valued member of our committee for many years, that I strongly support his project. Our committee evaluated it. We looked at all the details. We think it is a worthy project that should be supported.

I urge my colleagues to oppose the gentleman from Texas' amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 56 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 56 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Maverick Concert Hall.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this amendment would prohibit funds in the bill from being used for Maverick Concert Hall preservation located in Woodstock, New York. I think the committee report provides $150,000 for this particular local project.

Again, the debate that I want to present now is similar to one I presented on some of the other earmark funds. I do want to address some of what I have heard earlier in the debate.

I would like to make it very clear to the chairman of the committee and to all my colleagues, I do not question the right to spend this money. I don't question the right of this body to expend these funds. I simply question the wisdom of expending these funds given that the Nation continues to run a deficit, given that we have a looming entitlement spending crisis. The Comptroller General of America has stated we are on the verge of being the first generation in American history to leave the next generation with a lower standard of living.

I question the wisdom of the expenditure, given the fact that we just had a budget resolution passed, against my vote, passed against, contrary to the debate I offered on the floor, that would present the largest tax increase in American history, an average of roughly $3,000 per American family.

Now, I heard one gentleman early on, in defending his particular earmark, say it was a small amount of money. Relative to the Federal budget, I am sure it is a small amount of money. But for those of us who have consistently throughout our careers come to this floor to debate protecting the family budget from the Federal budget, to come to this floor and debate more freedom and less government, you got to start somewhere.

I don't understand the argument. It is either, well, this is such a small amount of money, why are we bothering, or I hear the argument sometimes, it is such a huge sum, we can't do that. That would be Draconian.

I kind of feel like, well, especially since I have small children and I read them bedtime stories, it is kind of like Goldilocks and the Three Bears. Either the porridge is too cold or it is too hot. When is the amount just right?

I heard one of the earlier speakers talk about responsibility to future generations. I agree. I spend a lot of time thinking about future generations. Again, I am the father of a 5-year-old daughter and a 3-year-old son, and I know everybody in this body loves their children and loves their grandchildren. But I think a lot about the debt and the tax burden that is going to be passed on to future generations. And, again, I fear that although earmarks represent a small portion of the Federal budget, they represent a large portion of the culture of spending that has now led to over $50 trillion of unfunded obligations in the Medicare, Medicaid and Social Security programs alone.

So, where do the steps, the baby steps towards fiscal responsibility, start?

□ 1930

I just believe again that with this looming entitlement crisis, that we need to do more. We need to set even a higher standard. We need to set even a higher bar for the expenditure of these funds. And I am sure these are interesting and worthy sites, although I haven't visited them. I am not sure if they are worthier or are more interesting than many of the sites in my own district.

Again, I start to think about the people who will have to pay this. I think about their American treasure. I think about a guy named Bruce in Garland, Texas, in my district. And when I asked him what is this tax increase going to do, and it is going to be a tax increase or debt that is going to pay for these earmarks, he said, ''Congressman, in my particular case, an additional $2,200 in taxes would cut into the finances I use to pay for my son's college education. I really believe that given more money, Congress will spend more money, so that is not the answer. A control and reduction of spending is what is needed.''

And so I think about Bruce in Garland and about all of the Bruces in Garland. You are talking about $100,000 here and $100,000 there, and to paraphrase the late Everett Dirkson, pretty soon you're talking about real money.

When we are helping each other out, let's think about future generations who are going to end up paying for all of these earmarks.

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

Mr. HINCHEY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. HINCHEY. First of all, before I begin, I want to express my deep admiration and appreciation to the chairman of this Environment and Interior Subcommittee, for the marvelous job he has done in putting this bill together. It is extraordinary in all that it does and improvements that it makes.

Also, I express my appreciation to the ranking minority member, Mr. TIAHRT, and all of the good work he has done and his responsibility on this committee, and particularly with regard to this bill.

Ironically, I want to express my appreciation to the gentleman from Texas because he gives me an opportunity to talk a little bit about the Maverick Concert Hall.

This small amount of money in this bill would provide for the restoration work on this Maverick Concert Hall. The Maverick Concert Hall was handbuilt in 1916 in a very unique rustic style. It was done so by famed Maverick Art Colony founder and philosopher Hervey White. Local carpenters put the building together, along with a band of resident ''maverick'' artists and volunteers.

The Maverick Art Colony was a key element in the emergence of Woodstock, New York, as a nationally influential art colony.

Now on the National Register of Historic Places, the hall is the home of the oldest continuous summer chamber music series anywhere in the United States. For 91 years, America's leading professional artists have presented summer concerts at the hall. The acoustics in this rural building are nearly perfect. Maverick concerts became the prototype for other summer music festivals, taking music from the cities and bringing them into rural, bucolic settings.

True to the egalitarian spirit of the original colony, the concerts are offered to the public and free for children and at very affordable prices in a lovely wooded surrounding for adults.

It is a marvelous place, and I am very proud to be the sponsor of this piece of this bill which would provide this very modest amount of funding for this particular project in the town of Woodstock, New York.

With regard to some of the things that the author and the sponsor of this amendment have put forward, I think it is important for all of us to recognize that he is very grossly mistaken

in some of the things that he said. For example, there are no tax increases in this budget, and no tax increases in any of the things that we are dealing with here today.

In fact, what we are trying to do, this new Democratic majority in this House of Representatives and in the Senate as well, what we are trying to do is to rebalance the budget because in the several terms that my good friend from Texas, the sponsor of this amendment has been part of, we have increased the national debt by a huge amount of money. We have almost doubled the national debt while he was in the majority party and voting for all of those things that brought about that increase in the national debt, almost doubling it.

He has been responsible, along with some others, really placing future generations deeply, deeply in debt.

He talks about the need to be responsible in the way we provide Federal financing for issues across the country. I would simply remind the sponsor of this amendment that on a per capita basis, far more Federal money goes into the State of Texas than goes into the State of New York, for example.

So with that fact in mind, if he was really sincere and serious about what he is saying, then he would be recommending that the people in his district reject the Federal funding that they are receiving. I don't advise him to do that, but I do advise him to be more serious, be more sincere, be more knowledgeable and understanding about your responsibilities here, the kinds of things that we are obliged to do, particularly in the context of the way we are authorized under the Constitution to provide for the people of this country. To spend the money appropriately, intelligently, doing good things for all of the people.

Mr. TIAHRT understands that. It is quite clear in the way that he has helped put this bill together. And, of course, Mr. DICKS understands it very well. And we understand it, too. That is why we are going to be supporting this bill very enthusiastically and why I ask everyone here to reject this amendment from our friend from Texas.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

I want to commend the gentleman from New York for his participation on our subcommittee and for all of his good work during the year.

I must say, a performing arts facility in a town can be such a fantastic thing. One thing I hope my colleague from Texas remembers is that the local community has to match the money. I think in this case this is a grant of $150,000 to Save America's Treasures which clearly this is one of. And then the local community has to raise $150,000, and out of that there are improvements to the facility and the structure that are done over a period of time.

Again, as we analyzed all of these projects, this is exactly what we had in mind. This legislation was authorized by Congress. And I would mention also that Mrs. Bush has her program, the Preserve America Program, which our committee has supported. Mr. TIAHRT has been a strong supporter of that program. I saw Mrs. Bush the other night and I told her we were working hard together up here to try and preserve this program, which does exactly the same things as Save America's Treasures. There may be a nuance or two, but basically it is the same thing.

So again, I support the Hinchey project and oppose the gentleman from Texas's amendment. I appreciate the good work of my colleague from New York over all of the years we have been on this committee together.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 74 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 74 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Bremerton Public Library.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this amendment would prohibit funds in the bill from being used for the Bremerton Public Library Restoration Project in Bremerton, Washington. The supplement to the committee report provides $150,000 for this project.

According to a 2001 article in the Kitsap Business Journal, restoration of the building previously received a $100,000 grant from the Bill and Melinda Gates Foundation. An equal amount was provided by the local government. The building is described in the same article as being a unique art deco style building. The Bill and Melinda Gates Foundation has an endowment apparently of over $30 billion, and as of April 2007, the State of Washington was projected to have the eighth largest surplus in the country at $1.23 billion.

So, again, I question not that good things can't be done with these Federal funds, not that this is not a project worthy of preservation and restoration, I simply question the wisdom again of using Federal taxpayer funds on such a project given the background. And I will respectfully disagree with the gentleman who spoke before me, the gentleman from New York, given the largest tax increase in history. He may not believe it is the largest tax increase in history, but The Washington Post, not exactly a bastion of conservative journalism wrote: ''And while House Democrats say they want to preserve key parts of Bush's signature tax cuts, they project a surplus in 2012 only by assuming that all of these cuts expire on schedule in 2010.''

It may be an expiration to the gentleman from New York, but to the people of the Fifth Congressional District of Texas, it smacks of a big tax increase.

And as I look at all of the different projects that have been brought forth tonight, I just ask myself a question: Is there any good project back home that apparently is not worth a Federal subsidy? If we say ''yes'' to all of these projects today, I fear we will be saying ''no'' to our children's future tomorrow.

Again, where is this money coming from? Government will be paid for. Either you are increasing taxes on the American people through the largest tax increase in American history, or you are going to pass on taxes even further by not doing anything to reform entitlement spending. That is the real fiscal tragedy. That is where the real scandal is. It is in the $50 trillion of unfunded obligations and not one word, not one word, Mr. Chairman, in the Democrat budget about what to do in entitlement spending.

Instead we have, again, local project after local project after local project. Maybe we have fewer than we had last year, and I assume the chairman is accurate when he says that and I salute him for that. But still, given the fact that the Federal Government is spending roughly $23,000 per American family, the largest level since World War II, given that the Democrat majority, over the course of 5 years, is about to impose a $3,000 increase in taxes on those same families, and given that we still have a Federal deficit that I have fought against since I have been here, often battling with my own party leadership, something I wish some of the people on the other side of the aisle who espouse a similar philosophy, I wish they would raise their voices occasionally.

Again, I would like to say that as worthy as many of these projects are, America's true treasures are the treasures to be found in the family, those dreams that are discussed around the kitchen table. That dream of launching that first small business, that dream of being able to finally send the first child to college. That dream of actually being able to afford the health care premiums to make sure that the family

is well. Those are America's true treasures, and those are the treasures that I am trying to preserve.

We have to go further in changing the culture of spending and not expending funds for any purpose simply because we think of it or because we say good things can be done. Better things can be done when the taxpayers keep their own money.

□ 1945

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. This is an amendment that affects a project in my hometown of Bremerton, Washington.

The downtown Bremerton library building opened in August 1938. Now, that may sound recent, but, remember, Washington has only been a State since 1889. The building was funded under the Works Progress Administration. The WPA was one of Franklin Roosevelt's principal public works programs that helped America recover from the Great Depression. The building is constructed in an art deco style which was a signature style during the twenties and thirties and a favorite today of preservationists across the country. The building has a large rotunda with skylights. Because of its distinctive style, the library remains one of the most attractive buildings in downtown Bremerton. Like many art deco buildings, the library has a very bright color, in this case a vibrant yellow.

The downtown Bremerton library was constructed on land that has housed a library for nearly a hundred years. When this library opened in 1938, it served as the main library. The City of Bremerton and Kitsap County combined their library system in 1955. In 1978, a new headquarters library was built for the regional system and the downtown library became a branch library.

The library in downtown Bremerton has been undergoing rehabilitation for the last 1½ years. The city invested $100,000 last year in general fund money and $100,000 from its community development block grant funds. These were matched with $100,000 from Kitsap County and $100,000 from the Gates Foundation. The moneys were spent replacing windows and doors, remodeling bathrooms, rebuilding the roof and other structural improvements which brought the building, to a reasonable degree at least, up to current building codes and took care of pressing life/safety concerns. This year, the city is spending an additional $200,000 in general fund money to replace the existing heating, cooling and air ventilation system, to remove asbestos from the heating plant and associated piping, replace much of the building's plumbing, and to rewire the entire building for additional electrical capacity and other modern communication equipment.

When I was a kid growing up in Bremerton, Washington, this was the library that I used to go to with my mother and father and my younger brother, Les. Bremerton is a city where we have the Puget Sound Naval Shipyard, probably the most effective and productive shipyard in the United States. We have about 10,000 workers working there, and we have thousands of sailors who are home-ported in Bremerton and at the Trident submarine base at Bangor. I would like to think that this facility would be available to those men and women serving us in the military and for all of those thousands of government employees who work in the Kitsap County area. This is a good project. The money that we are providing, $150,000, will be matched by the city of Bremerton. They've already put in a lot of additional money. And this is a partnership. This is one of those good projects where there's a partnership.

I urge my colleagues to strongly oppose this amendment and to support this worthy project.

I would also say, again, to the gentleman, this is such a dramatic reversal, what we have done on this side of the aisle on earmarks from the comparison when the other side took power. In 1994, there were about a thousand earmarks. In 2006, there were 13,000 earmarks.

The other thing I would suggest, too, it's one thing to go after the projects of your colleagues, but the President has what we would call earmarks, executive branch earmarks in this budget. If the gentleman was evenhanded in his approach, and I think he has been very fair in how he has selected these projects, but if he was evenhanded, he would go after some of the things that the President requests. As I said, the Preserve America Program is almost identical to Save America's Treasures, but I don't notice the gentleman offering an amendment on that particular project. No, I don't want to incentivize him, but I guess we can't because there is a unanimous consent agreement.

But, again, I appreciate what the gentleman is saying, and it is important. Dealing with the entitlements where two-thirds of our spending is has got to be done, and I hope that we can approach those problems just the same way as the gentleman from Kansas (Mr. TIAHRT) and I have approached this problem, with approving only one in ten of the projects that were requested from our colleagues.

Again, it is our power. Don't give up Congress's power of the Constitution, which is the power of the purse. That would be a tragic mistake that would haunt this House for many years.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. ANDREWS) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1612. An act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes.

S. Con. Res. 25. Concurrent resolution condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ANDREWS:

At the end of the bill (before the short title), add the following new section:

SEC. 4___. None of the funds made available in this Act may be used to plan, design, study, or construct, for the purpose of harvesting timber by private entities or individuals, a forest development road in the Tongass National Forest.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, I yield myself 2½ minutes.

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

Mr. ANDREWS. Mr. Chairman, the gentleman from Alaska, who no doubt will oppose this amendment, is a principled and fierce advocate for his constituents. And over the years, the taxpayers of the country have financed the construction of 5,000 miles of roads

which facilitate industrial and community activity in his district which he strongly and understandably believes in.

I respectfully submit, Mr. Chairman, that we have financed this enough. Since 1982, the taxpayers of the country have expended over $1 billion to finance the construction and maintenance of these 5,000 miles of roads. The economic result of this investment has been an average annual net loss of $40 million a year. I believe that this is not sustainable. Yes, jobs have been created, and this is very important for anyone in anyone's district. But the average cost of this job creation has been $200,000 per job.

Now, this amendment does not say that the existing roads cannot be used. It does not say that the existing roads cannot be maintained. It does not say that the existing roads cannot be used for the purposes for which they were originally intended, for development and commerce. What this amendment does say, Mr. Chairman, is that we will not invest more money in more roads. We will not invest more money at a rate of $40 million a year to extend this system.

For reasons of fiscal good sense, for reasons of environmental good sense, for a precious national resource, I believe that this House should revert to the language which is included in last year's bill and prevent the expenditure of more funds for the extension of this 5,000-mile road system in order to save the public money and in order to preserve this important national treasure.

This is a bipartisan amendment. I am pleased that my friend from Ohio (Mr. CHABOT) is my cosponsor. It has received bipartisan support in the past. I would respectfully ask my colleagues to vote ''yes.''

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

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, speaking to my point of order, this amendment constitutes legislation on an appropriations bill in violation of clause 2(c) of rule XXI because it will impose substantial new duties on the Secretary of Agriculture. Under Deschler's Precedents, volume 8, chapter 26, section 50, where an amendment seeks to impose on a Federal official substantial duties that are different from or in addition to those already contemplated in law, then it is considered legislative in nature and violates clause 2(c) of rule XXI.

Moreover, under Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation or exception therefrom might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make investigations, compile evidence or make judgments or determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(c) of rule XXI.

This amendment will require the Secretary of Agriculture to make investigations and compile evidence not otherwise required under existing law, as well as make a substantive determination not required by any law applicable to his authority. See 8 Deschler's Precedents, chapter 26, section 52.38.

The amendment bars planning and studying of certain roads, those used for timber harvesting by individuals or private entities in the Tongass National Forest. Roads used for other purposes and by other entities are not affected. In addition, the amendment bars the use of funds to ''construct'' such a road. Under volume 23 of the U.S. Code, section 101(a)(c), ''construction'' is defined to include reconstruction of roads. This definition is reflected in the Forest Service budget, which differentiates between construction/reconstruction of roads and maintenance of roads. This is also reflected in the road provisions affecting all roads, including those in the Tongass National Forest. I cite pages 7–36, 7–33 and 4–115, ''Road and Bridge Construction/Reconstruction,'' of the draft proposed Tongass Forest Plan relating to roads to reflect this understanding. Therefore, this amendment will apply to not only proposed roads but also to the 3,653 miles of permanent roads already in the Tongass National Forest. Some of these roads are not currently used for timber harvesting but could be in the future.

Under the National Forests Roads and Trails Act (16 U.S.C. 532–538), the U.S. Forest Service constructs forest development roads ''within and near'' national forests that ''will permit maximum economy in harvesting timber from such lands tributary to such roads and at the same time meet the requirements for protection, development and management thereof, and for the utilization of the other resources thereof.''

Under the current Forest Service Transportation Planning Handbook and the Tongass Forest Plan, the Secretary does not identify or track roads by the character of their use nor is such a determination required for reconstruction of existing roads. A road in a national forest may have multiple purposes, including recreation access, subsistence hunting access, vehicle use for emergencies, travel routes, utility maintenance or egress to Forest Service ranger stations or other structures.

Moreover, a road could be used for timbering operations by multiple participants, including the Forest Service itself, the State of Alaska, local governments, mining corporations with mining permits, private contractors or Native Alaskan tribal entities. According to the Forest Service, these landowners take between 80 million and 100 million board feet of timber from their lands in a year.

□ 2000

Some of these users would not be barred by the Chabot amendment. No current law requires the Secretary to differentiate between users of Forest Service roads. In support of this assertion, I quote from a recent letter from Under Secretary of Agriculture for Natural Resources and the Environment: ''Because the Forest Service does not distinguish roads on the basis of who uses them, implementation of the proposed Chabot amendment on the Tongass National Forest would require new processes, policies and additional work to ensure that, if the Forest Service is spending funding on roads, such roads are not utilized by individuals or private entities in support of harvesting timber on Federal or non-Federal lands.''

Under the terms of the amendment, the Forest Service would have to make an initial determination that the road proposed for construction or reconstruction would not be used for impermissible uses by impermissible people. For existing roads proposed for reconstruction, this would mean first monitoring the road to see how it is used and by whom over some period of time.

In addition, the Secretary would also have to monitor and enforce compliance with the limitation after the road is built or reconstructed. Enforcing this restriction would be burdensome. The Tongass National Forest, and the Nation's largest public forest, is 16.7 million acres, approximately the size of the State of West Virginia. It is comprised of scattered lands located along the mountains of Alaska's southeastern coast, and portions are remote and difficult to get to.

Within the forest are approximately 128,000 acres of State, Alaska Native Corporation and private land are accessed only through the Tongass National Forest roads. According to the Forest Service, 3,653 miles of permanent miles of roads have been constructed in the Forest, and these roads are used for travel, forest management, recreation, subsistence access, remote community connections, as well as the timber harvest.

Only 570 Forest Service personnel are assigned to the forest, one employee for every 45,000 acres. The majority of these employees do office work and are not out in the field, so the Secretary would have to make substantial hires and reassign these personnel to patrol roads. I cite eight Deschler's Precedents, Chapter 26, section 52.22 regarding the imposition of duty to monitor actions of recipients as transforming a limitation amendment into legislation.

For those reasons, I ask you to sustain my point of order.

The Acting CHAIRMAN. Does any other Member wish to be heard on this point of order?

Mr. ANDREWS. Mr. Chairman, I do.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. ANDREWS. I would simply urge the Chair to overrule to the point of order on the grounds that precedent, that identical language was found to be in order in the last Congress.

The Acting CHAIRMAN. Do any other Members wish to be heard on this point of order?

The Chair will rule.

The amendment turns on the purpose of the Forest Service in preparing for or building a road. If the justification for the road includes the harvest of timber by private entities, the limitation would apply. If not, the limitation would not apply. Nothing on the face of the amendment would require the Forest Service to monitor continuing use of the road.

As noted in volume 8 of Deschler's Precedents, section 51.13, a limitation may deny the availability of funds even if resulting in circumstances suggesting a change in applicability of law. It is also possible to restrict funds even if contracts may be left unsatisfied as a result.

The fact that this amendment requires those who would plan a road to know the purposes for which they are doing so is not a new duty or determination but, rather, a mere incident of the limitation. Second-order consequences do not render the amendment a violation of clause 2 of rule XXI.

The point of order is overruled.

Mr. ANDREWS. Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Alaska is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I first want to compliment the gentleman from New Jersey, and the gentleman, Mr. CHABOT, of Ohio. This was sprung on me 2 years ago, and I was quite upset, and I'm still upset, but you are being gentlemen about it.

I will return that favor. Last time, it was very unhappy and very ugly.

But, again, I urge my colleagues to vote against this. Let's be clear about this amendment. This amendment is not about fiscal responsibility, in all due respects. It's a giveaway to the radical and environmental groups that want to treat the Tongass and all southeast Alaska as their taxpayer subsidized playground.

The problem with the timber harvest program is that environmental groups have purposely driven up the costs of managing it by filing multiple, multiple frivolous lawsuits and appeals. Now that they have successfully created the problem, they're offering a solution: target a Member of Congress unfamiliar with Alaska and the Tongass, and express concern that the Tongass timber program has become uneconomical and should not be funded by the taxpayer, request that they offer an amendment, threaten Members with negative score on their annual report cards for failing to support the amendment.

This is like a personal injury lawyer who sues lawyers over living, and then complains to Congress about the high cost of medical care. As long as you are talking about taxpayer dollars and fiscal conservatism, it should be noted that the lawsuits and appeals responsible for the high cost of doing business in the Tongass are all funded by the American taxpayer under the Equal Access to Justice Act, which says if you are an environmental fundraising group in the ninth circuit, you file lawsuits by piece work and get your money back for every one you file.

This is the ''taxpayer waste'' we should be discussing here today, taxpayers waste. If not for the never-ending onslaught of frivolous, taxpayer-funded lawsuits and appeals, the U.S. Forest Service could be managing a timber program at a net profit.

In addition to putting a Federal stamp of approval on these groups' antics, a ''yes'' vote on this amendment will cripple what's left, what's left of the several hundred Alaskan jobs. At one time, I had 15,000 jobs in my State that's been taken away. You have outsourced them.

The timber industry supports the best-paying year-found jobs in southeast Alaska, or they did. Even though environmentalists have already succeeded locking up over 96 percent of the Tongass, and eliminating most of these jobs, they are now after the remaining 4 percent, the last few hundred jobs, 15,000 versus 400, and this is America? This is nothing economic. This is economic terrorism. What's worse, the American taxpayer has been paying for it.

If supporters of this amendment would like to join me in restricting the frivolous timber appeals and lawsuits filed by the environmental trial lawyers against every timber sale and every road in the Tongass, we could lower the cost of timber harvest and return the profit to the taxpayer.

Very frankly, I believe this amendment is a job-killing bill, supposedly protecting taxpayers, but it's about fooling them. It's about forcing my constituents out of work and removing people from the Tongass so the environmentalists have a 17 million acre taxpayer subsidized playground for themselves.

I want to remind people, I have been through this in 1980. This Congress took away 16.5 million acres of Tongass. They took it all away but 10 percent. We were told there would be peace in the valley, yet same groups, same trial lawyers, same environmental groups are trying to take that last 4 percent away, 400 jobs, out the drain.

Each one of you were talking about how bad the economy is in the United States, how you outsourced your jobs, you and your industrial States, and yet you are doing this to the State of Alaska, the jobs that Alaskans have. It's a disservice to this body to continue to pander to a group that knows nothing about it other than the fact they want their playground. It's the wrong thing to do to us.

I know the why the two gentlemen are introducing this amendment. I understand it. But think of what you are doing to your Americans. The workers are left. Let us manage the timber. We would have had a profitable area, but asked by your supporters of this amendment have stopped our ability to manage the forest in a profitable way and driven those jobs overseas, into Canada, into South America, where they defoliated the forests.

We have done a disservice to a renewable resource, a terrible disservice to a renewable resource. This Congress has not managed its force, because they want to supposedly protect the trees, and those trees are dead trees, my good friends, they are dead. They should be harvested.

All I am asking is not to impose this on them so we can get that little, final 4 percent available for the Alaskan workers and for this Nation. That's not asking much. I am urging my colleagues to vote, very strongly, a no on this amendment. It's the wrong thing to do. It's the wrong thing to do for this Nation, wrong thing to do for the State of Alaska, but it's the wrong thing to do for the Americans of this great Nation.

Mr. ANDREWS. Mr. Chairman, I first appreciate the very respectful manner which our friend from Alaska carried on the debate.

I yield the balance of our time to my friend from Ohio, who is the cosponsor of this amendment, Mr. CHABOT.

Mr. CHABOT. I want to once again commend the gentleman for offering his leadership on offering this amendment this year.

Mr. Chairman, since 1982, the Forest Service has lost nearly $1 billion subsidizing private timber in the Tongass National Forest. That's a $40 million loss every year. If anyone wonders why our national debt is as large as it is, and it's currently about $8.8 trillion, yes, that's with a ''T,'' trillion, one needs to look knew further than taxpayer boondoggles like this one. They add up.

There are thousands of miles of roads in the Tongass. The Forest Service acknowledges that existing roads are ''sufficient to satisfy local demand for roaded recreation, substance, and community connectivity needs and demands in most districts.'' Yet year after year, the Forest Service spends millions of tax dollars building roads for private timber companies that, by the Agency's own admission, aren't really necessary.

To make matters worse, the Forest Service has a nationwide road and maintenance backlog of about $10 billion, tens of millions of which are in the Tongass. Incredibly, the Forest Service isn't maintaining existing roads, yet they want to build more, even though they admit that there are already enough. Does that make any sense? Of course not.

This is a simple, straightforward amendment. It would simply prohibit

the Forest Service from building logging roads for timber companies subsidized by the American taxpayer in the Tongass. It does not stop timber companies from building their own roads.

I know that there are some who want you to believe differently, but this amendment has nothing to do with the roadless rule or interfering with the Tongass land management plan. It is everything to do with good government.

Opponents of this amendment will argue that the massive losses in the Tongass are due to litigation. Taxpayer dollars are ending up in the pockets of trial lawyers. I am not usually accused of being a darling of the trial lawyers but they did a study to find out how much of the appeals and litigation cost was a factor. Only 2 percent of cost was because of litigation.

Opponents of this amendment have argued many things in the past. The fact is that there are now only 200 jobs, and every single job, as the gentleman from New Jersey mentioned, is costing the taxpayer $200,000 in subsidies for each one of these. It makes absolutely no sense. That's why groups like Citizens Against Government Waste, the National Taxpayers Union are strongly in favor of this amendment, because they know that it makes no sense anymore to have tax dollars going in the amounts that they have been going. We spent almost $1 billion now subsidizing the building of roads in the Tongass.

Again, I am not opposed to logging when it's done on the timber company's dime. But in this case, they are using the American taxpayer to subsidize these 200 jobs at the tune of $200,000 per job. That just makes no sense, and that's why I strongly urge my colleagues to support this amendment.

I want to once again thank the gentleman from New Jersey for his leadership on this amendment.

Mr. ANDREWS. Mr. Chairman, I would urge a ''yes'' vote, and I yield back the balance of our time.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. TIAHRT. Mr. Chairman, I oppose this amendment. I am also a fiscal conservative, but I think this amendment is misdirected. We should not limit the funds to do proper forest management on the Tongass.

Some limited road building is needed to take care of the land. The Tongass National Forest is, indeed, a wonderful place. But under the existing forest management, approximately 90 percent of the 16.8 million acre forest, over 15 million acres is roadless and undeveloped.

Only 4 percent of the forest is suitable for commercial timber harvest, and only half of that area is within the inventoried roadless areas.

The amendment would prevent the Forest Service from doing road maintenance on a large area of southeast Alaska. Most of these communities have no road access to the outside world, but they need the Forest Service roads to get around during their daily activities.

This amendment would also harm a variety of forestry, recreation and wildlife conservation activities by preventing the proper road maintenance. The existing forest plan allows timber harvest on only 300,000 acres, only about 2 percent of the more than 15 million total acres of roadless area on the forest.

I have a letter here from the United States Department of Agriculture, and it's from a person called the forest supervisor up in Tongass. He said we have heard the figure today that there was $40 million lost each year. He says from fiscal year 2005 to 2006, the Tongass spent $2.4 million less on roads, reducing the level from $10 million to $7.8 million; from 2006 to 2007, the program reduced further to $6.1 million. All told, over the past 3 years, the forest has cut spending by $4.1 million to less than 50 percent.

So I don't know where the $40 million per year figure came from when they are only spending $6.1 million this year on the roads. In addition, when you add up all the jobs, according to the Forest Service, it's about 1,000 jobs that are at risk with this legislation.

This, by also prohibiting roads, also makes the forest more vulnerable to forest fires. So if you love the forest, if you love the bounty, if you love the beauty, then oppose this amendment.

Mr. Chairman, I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. I thank the gentleman for his comments.

I would ask the authors of this amendment if they would respond to the question.

Will you respond, Mr. CHABOT and Mr. ANDREWS?

I am going to introduce legislation to allow the forest to be sold to the State of Alaska. If you are fiscally conservative, we will raise about $4.5 billion, we will pay you for it.

Then we can manage it as we should manage it, because right now it's not being managed. When I introduce that bill, are you willing to get on my bill to sell that forest to the State of Alaska so we could manage it as it should be managed.

Would you be willing to sponsor that bill?

□ 2015

Mr. ANDREWS. If the gentleman would yield, I, of course, could not commit to a bill I haven't read. But I will say this. If there are sound management environment principles, it's an issue I'd have to take under consideration.

Mr. YOUNG of Alaska. I appreciate that because it's very simple to say the Tongass will be sold at fair market value to the State of Alaska. And I think that would solve our problem.

Mr. ANDREWS. If the gentleman would yield, I would certainly have an open mind to his idea should he introduce such a bill.

Mr. CHABOT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Ohio.

Mr. CHABOT. The gentleman from Alaska has so many years of distinguished work and experience in this House that he if he offered a bill like that, I would certainly be willing to closely read that bill and seriously consider cosponsoring it.

Mr. YOUNG of Alaska. Again, I just hope you understand, this is a national forest. It only has 4 percent available. A national forest that has 4 percent. And the gentleman, the ranking member, has mentioned the fact that there's no $40 million being spent.

And by the way, this is on national land because the comment was made about the roads could be built by the persons that's doing the logging. That's true. But if it's built by that person, those roads are no longer available to the general public. And what has happened, we've built a network of roads on Prince Wales Island primarily that provide, for all the local communities, communications capability that tie in with the ferries. Those roads still belong to the United States, just not the State of Alaska. They're part of the United States road system.

And so I'm just suggesting that these roads, if it was done by just a contractor, then that right wouldn't be there. Those roads would have to be pulled up, put to rest back to the original contour.

So, again, I know who's asking you to do this. I understand it. But it's really being a little disingenuous. In fact, the roads themselves are in a different area that was on private land. This is on Federal land, not private land.

And so I respectfully again ask for a ''no'' vote on this amendment because it's the wrong thing to do for the State of Alaska and for the United States.

Mr. TIAHRT. Mr. Chairman, I also would request my colleagues to vote ''no'' on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. ANDREWS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARY G. MILLER of California:

At the end of the bill, before the short title, insert the following:

TITLE VI — ADDITIONAL GENERAL PROVISIONS

SEC. 601. No funds made available by this Act may be obligated or expended to conduct the San Gabriel Watershed and Mountains Special Resource Study (authorized by the San Gabriel River Watershed Study Act (Public Law 108–42)) in the cities of Diamond Bar, La Habra, Industry, Chino Hills, and the community of Rowland Heights in Los Angeles County, California (as defined by the following boundaries: the City of Industry on the north, Orange County on the south, the City of Diamond Bar and California State Route 57 on the east, and the City of La Habra Heights and Schabarum Regional Park on the west.).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I rise to offer an amendment to restrict funding in this bill from being used to conduct the San Gabriel River Watershed and Mountains Special Resource Study in certain cities within my Congressional district and one neighboring city.

The difference between my amendment and the other amendments, everybody's been trying to strike funding in somebody else's district. I'm saying, don't spend it in my district.

This amendment is simple. It only affects communities within my district who do not want to be subject to a Federal National Park Service study.

I appreciated Mr. DICKS' support of this amendment last year when the House passed it by voice vote and urge the House continued support of this amendment.

In 2003, Congress authorized the National Park Service Watershed and Mountains Special Resource Study to survey the San Gabriel River and its tributaries and the San Gabriel Mountains, north of and including the city of Santa Fe Springs to determine if any resources are available to National Park Service designation.

Let me be clear. My district is not in the San Gabriel Mountains nor does it contain tributaries, and it is not north of Santa Fe Springs. It is east of this area that is authorized to be studied.

I did not oppose the original authorization of this study because, according to my interpretation of the language, my district would not be affected. However, it appears that the NPS has interpreted this language too broadly.

I strongly believe that the inclusion of cities in my district in the NPS study went beyond the scope of the Congressional authorization.

Several cities have contacted me and the National Park Service in extreme opposition to their inclusion in this special resource study. I have reached out to the NPS on numerous occasions to ask them to remove these cities from the study. They have refused.

I come to the floor today to ask that you support efforts to ensure that cities are not forced to be part of a study that was not intended to include them.

This amendment does not affect any other city in the study other than those in my district (plus the City of Industry) that have asked to be excluded. If other Members want their cities to continue to be included in the study, then the amendment will not affect them.

The bottom line is that I represent these cities, and they have told me they do not want to be included in this study.

The cities in the 42nd Congressional District, which I represent, have worked hard to address the challenges associated with rapid pace of growth in our region, including finding innovative solutions to manage future development, alleviate traffic congestion and preserve open space.

These cities are in the best position to make decisions regarding land use within their boundaries, and I am opposed to any Federal action that may compromise the local authority in the future.

The results of the study could ultimately be used to compromise the ability of local governments to decide what is best for their communities. Land management responsibilities and decision making should be made at the local level where officials have a clear understanding of community needs.

Existing land-use management by local municipalities is preferable to Federal involvement in a rapidly growing region.

I urge my colleagues to support my efforts to protect the communities that I represent by removing them from this study. A vote in favor of this amendment is a vote for local control and against Federal intervention where it is not welcomed or needed.

Once again, I ask my colleagues to support this simple, straightforward amendment to ensure the Federal Government does not reach beyond congressional intent.

Mr. DICKS. Mr. Chairman, I reluctantly rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DICKS. The gentleman is correct. Last year, when Mr. TAYLOR was chairman and I was the ranking member, Mr. TAYLOR wanted to accept this amendment, and I went along with Mr. TAYLOR.

However, this year, I am the chairman, and the Congresswoman, Ms. SOLIS, is concerned about this amendment and is opposed to it.

And let me just give you a little text of what she said. This amendment is based on a fundamentally flawed understanding of the study process incorporated in the legislation which she authored, which was signed into law on July 1, 2003, and would result in a change in the study design.

The San Gabriel River Watershed Study Act was signed into law on July 1, 2003, after a lengthy effort to build consensus, an effort which included outreach to and coordination with all the members of the San Gabriel Valley delegation, including representatives of Diamond Bar, La Habra, Industry, Chino Hills and the unincorporated areas of Los Angeles County and the community of Rowland Heights. As a result of this effort, the legislation passed the U.S. House of Representatives with broad support.

Congressman RADANOVICH noted in a letter to the editor on August 4, 2002, that, ''legislative process works best when those with differing views get together to resolve those differences and arrive at solutions that are responsible, workable and widely acceptable. That is what happened in this instance.'' The process by which this legislation was drafted and enacted was iterative and compromising. In fact, upon passage, Representative Pombo noted that this bill enjoys the broad support of both the majority and the minority and urged his colleagues to support it.

During this process, the boundaries of the study were clearly defined. According to the legislative text, the Secretary of the Interior shall conduct a special resource study of the following areas: the San Gabriel River and its tributaries north of and including the City of Santa Fe Springs, and the San Gabriel Mountains within the territory of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, as defined in section 32603 (c)(1)(c) of the State of California Public Resource Code.

This study was directed to be done in consultation with Federal, State and local governments, including the San Gabriel and Lower Los Angeles River and Mountain Conservancy and other appropriate Federal, State and local government entities. These areas were chosen for their importance in the regional watershed.

During consideration of this legislation, the Department of Interior recognized the need for this study. It noted that:

''The watershed of the San Gabriel River contains important natural resources which are disappearing throughout Los Angeles County. Continuous greenbelt corridors provided by the river serve as a habitat for breeding, feeding, resting or migration birds and mammals, which allows migration to take place throughout developed areas. The rugged terrain of the higher reaches of the watershed contain different vegetations, including rock outcroppings and vegetation native to the Pacific Coast foothills. This area also has a rich cultural heritage, which is evident by the large number of historically significant properties within the proposed study area. Among them is the Mission San Gabriel Archangel, founded in 1771 by the Spanish missionaries who were moving up the coast of California.''

The Department of the Interior also noted that this study would have to examine a number of alternatives for protecting resources in the area. Specifically, the Department of the Interior stated:

''Alternatives to Federal management of resources are often considered in a special resource study for this type of area including national trail designations, national heritage area designations, and the provision of technical assistance to State and local governments for conservation of rivers, trails, natural areas and cultural resources. A study of an area where land ownership and jurisdictional boundaries are as complex as they are in the San Gabriel River Watershed would likely emphasize public-private partnerships.''

What I can't do here, because the gentleman and the gentlelady from California have not been able to work this out, I can't accept this amendment when the gentlelady is in opposition to it. And I think what she's basically saying is that you should not be able to take out all of your jurisdictions from this study because they need to be in there to do a comprehensive study. That's how I view it.

Mr. GARY G. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. GARY G. MILLER of California. Just so that we make sure the record is straight, and I appreciate your courtesy and your time and I do understand the situation you're in.

When Mr. Pombo made that statement, it was accurate because he came to me and I said, is my district included in this area; and they said, no, it would not be. And based on that understanding I said, well, then, I support what she's doing because if she wants to do it in her district, I have no problem with that. Then after the fact, when the amendment came last year and we agreed to it, Mr. Pombo also said that he did not believe my district should have been in there originally.

But I understand your situation. I understand your courtesy, and all I can do is ask for support of my amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The amendment was rejected.

AMENDMENT OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. GINNY BROWN-WAITE of Florida:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. The amount otherwise provided by this Act for ''NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES—NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION'' is reduced by $32,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer this amendment today to cut the pay raise that is included in the bill for the National Endowment For the Arts.

Mr. Chairman, we have many problems facing us in Congress today. We have a Federal deficit of $8.8 trillion. We still haven't built the fence along the border, and we still don't have enough people out there protecting our borders. Yet, my colleagues on the other side of the aisle are pushing forward bills that would amount to the largest tax increase for Americans in American history.

As a matter of fact, in my district, in Florida, it will mean about a $2,400 tax increase, not this year, but in the future years, in 2 years, when some of the tax breaks expire. That's $2,400 more that my constituents will have to pay.

And now we hear that they want to fluff up the National Endowment For the Arts by almost $36 million more. That's more than last year. This is the same public tax dollar funded National Endowment of the Arts that boasts that they are the largest funding organization for arts in the United States, using our tax dollars, of course.

This is the same NEA that provided a grant for the production of the Dinner Party, which is a 140-foot triangle depicting the imagined genitalia of 39 historically important women, including Susan B. Anthony and Georgia O'Keefe.

This, Mr. Chairman, is the same NEA that provided a grant for a program entitled, ''Not For Republicans,'' which addressed several topics, including sex with Newt Gingrich's mom. To the average American taxpayer, this is not art. This is smut.

The National Endowment of the Arts has funded works of art, and I put ''art'' in quotes, that are so controversial, offending and downright disgusting that, quite honestly, I could not mention them on the House floor.

□ 2030

And for their work in promoting this smut, the leadership, the Democrat leadership, now wants to reward the NEA by giving them a $36 million raise over last year and a $32 million raise over what the President has requested. That's right. The NEA was funded at $125 million last year, the President requested $128 million dollars; yet in this bill, in the Interior Appropriations bill, we see that the NEA will be funded at $160 million dollars.

How many Americans get almost a 40 percent pay raise for offending most of the Nation? This is the case of rewarding bad behavior with tax dollars.

My amendment strikes only the increase included in this bill and brings the funding back in line with the President's request of $128 million. Again, let me remind my colleagues that this is a $3 million increase if we go back to the President's level.

Mr. Chairman, Americans need art in their lives and I recognize art is subjective enjoyment. Whenever possible, back in my district, I support the arts, but I do it with my dollars, not with tax dollars, where the average American does not agree with some of the ''art'' that is being funded with their tax dollars. Americans are tired of wasteful Washington spending and are unwilling to pay for this so-called art with their tax dollars.

Don't reward the National Endowment for polishing trash and call it art. Vote in favor of my amendment to bring NEA funding back to the President's level of $128 million. Again, that is even $3 million more than last year.

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

Mr. DICKS. Mr. Chairman, I move to strike the last word.

I would be delighted to yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I love the introducer of this amendment, but I don't love her amendment. It would reduce a much-needed funding increase for the National Endowment for the Arts from $160 million in the bill to the President's requested level of $128 million.

I first want to compliment the chairman and ranking member again for putting together a good bill that adequately funds our key priorities. Our national parks, the environment, and the arts receive strong support, and the bill takes a critical step to addressing climate change and global warming.

We owe both of you a debt of gratitude for your good work here.

The NEA has been shortchanged for too long, and it is time to ensure that it has the resources necessary to carry out its mission of supporting excellence in the arts, bringing the arts to all Americans, and providing leadership in arts education. With much-needed incremental increases since 2001, the NEA has developed widely popular programs, including the Big Read and Shakespeare in American communities, to encourage Americans to participate in cultural experiences. What is impressive is that it is in every community practically in the country: large communities, small communities, urban communities, rural communities.

The arts improve the lives of so many people including children, the elderly, and those on limited budgets who might otherwise not have the opportunity to see some very beautiful, spiritual, and enriching performances. Federal funding helps enable talented

individuals to pursue careers in the arts.

Besides the obvious cultural benefit, the economic impact of the arts is real and impressive. As of January, 2007, there were 2.7 million people employed by over 546,000 arts-centric businesses, which represent 2 percent of our Nation's total employment.

In Connecticut's Fourth Congressional District, there are 2,841 arts businesses that employ 14,711 individuals. Last year all 435 congressional districts received at least one grant. For every dollar of Federal investment, each grant typically leveraged $7 of State and private investment.

I grew up in an arts family. My parents, both performing actors, met in the theater. Listening to my father play the piano each night and hearing stories from their days on the stage gave me a profound appreciation for creative expression, an appreciation that I know so many of my constituents and I share and love.

With that I would urge defeat of this amendment. We are spending a meager amount, candidly, on the arts on the Federal level. This is a noble attempt by the chairman of the committee to do what needs to be done, and I hope that we maintain what is in the budget.

I thank the gentleman for yielding.

Mr. DICKS. Mr. Chairman, reclaiming my time, I thank the gentleman from Connecticut for his strong statement in support of the funding for the National Endowment for the Arts.

I would point out to my colleagues that in 1993 we had a $176 million budget for the NEA. That was cut by almost 50 percent, and over time this budget has been built back up. We have had many votes on this. The Slaughter-Dicks amendment has been voted on many times by the Congress and in strong support of the National Endowment for the Arts.

Now, we didn't do this frivolously. Mr. REGULA, when he was chairman, and I worked together and came up with some guidelines for the NEA. And I think the NEA has done a better job under Bill Ivey, Dana Joya, Jane Alexander, who have all been outstanding leaders of the Endowment.

This is important for the education of our children. This is also important because, as the gentleman from Connecticut mentioned, all 435 districts received a project. And when I was first on the committee, it was the big cities that got funding for the National Endowment for the Arts. That is no longer the case.

Also, it is a very major economic tool. The gentlewoman from New York has pointed out many times how the funding for the arts has caused a tremendous economic expansion in the country. And I think it is a very important point.

So let's continue to support the National Endowment for the Arts. I wouldn't want you all to go home and have to explain why you made this terrible, outrageously big cut on the arts.

But I just wanted to say that this is an important amendment. These groups all over the country are excited about Congress stepping up and increasing the funding.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I yield myself the balance of my time.

I believe that our constituents would much rather support the arts with their dollars instead of channeling this additional increase through Washington where Lord only knows of that dollar that gets up sent up here how much actually goes back into the District for the arts. Yes, my district has received some funds. But, additionally, they don't want to have the concurrent tax increase that goes along with the increase in spending.

The amount that the President has requested certainly is sufficient for the National Endowment for the Arts, and I encourage the Members' support for this amendment.

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

Ms. SLAUGHTER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Chairman, this seems a familiar job for both Mr. DICKS and me and certainly for our cochair, Mr. SHAYS.

For a while, we thought we were over the years of mugwumpery when people thought the National Endowment for the Arts was something that they could kill without any cause. And as has been pointed out several times, the last 2 years, it has passed by voice vote, but it has certainly come back with a vengeance this year.

Let me talk about something for a minute that I don't believe has been discussed today, and that is the effect on our school children of art. We know for a fact that every school child in secondary school that has art for 4 years goes up 57 points on their verbal SATs, and we know it is attributable to art. We know that the days that art is in the schools that there is no absenteeism. We know that children that learn to create don't destroy. We know that in developing minds, the effect that art and dance and movement have on that. As a matter of fact, I think the University of California Davis has done extensive study showing the correlation between studying a keyboard and computers, between studying modern dance and math. We have all seen it over and over again. And we worry all the time about, one, how are we going to keep our children in school and, second, how are we going to make better students of them? This is cheap at the price, Mr. Chairman.

And Ms. GINNY BROWN-WAITE was saying that her district didn't get much back. I happen to have the figures here. As of January, 2007, her district is home to 967 arts-related businesses that employ 2,565 people who will be really sorry if she is successful here tonight.

Let me repeat again what we have said today because it has gone up exponentially every year. In 1992, we had $36.8 billion coming back into the Treasury. In the year 2000, we had $53.2 billion, with an audience expenditure of $80.8 billion. In 2005, which are the last figures we have, $63.1 billion organization expenditures and $1.31 billion audience expenditures. And if somebody can tell me one other thing that we do in this Congress that costs us less than $200 million that brings that kind of return back into the Federal Treasury, I will be astonished. I have been asking that for years. Nobody has ever come up with anything that is even close.

It is so important that we maintain these programs. It is so important that in the small communities that the regional theatres are kept alive. It is seriously important that children in all parts of this country are exposed to education through music and dance, that they are able to develop their own talents. But, moreover, I want to go back to what I said at the beginning. We know the effect of art on the developing brain. It is so important that many governors make sure that babies born in their States go home from the hospital with a CD of Mozart. We should try to make sure that we can continue this. It is important. Even to this day, even with this increase, we will not be up to the amount of money that we had in this budget when I came here in 1987.

Mr. DICKS. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, if we were just at a cost-of-living increase, we would be at $259.2 million. We are at 160. We are fighting to get back to where we were, but we have got a long ways to go.

Ms. SLAUGHTER. And, reclaiming my time, the return we get on it is enormous, Mr. Chairman, not just in money to the Treasury, which, of course, is important; not just in the myriad of jobs that it creates in every single district because that is terribly important too; but it is important because it says who we are. We work in a work of art, frankly, but it is the artists that have gone before us that tell us who we were, and it is the artists who will tell us who we are now, who we are going to be.

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

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

I yield to the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I am sure that the gentlewoman from New York did not mean to misquote me. I did not say my district did not receive very much money. I said my district does receive some money, but I did not say that they did not receive very much money. I just wanted to make sure that the record was corrected on that.

And, yes, thankfully, I do have an arts community that is alive and well. And I have communities that will support that arts community. But what we don't want to see is digging ourselves further in the ''let's just pile more money on various agencies'' model, which only will drive up our deficit. That was the point that I was trying to make.

If my constituents have a choice of maybe encouraging their friends and neighbors to go to an event to increase the revenue, but we are sending the money up here to Washington only to have it sent back with this increase. They would prefer to have that money generated at the local level.

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this amendment and would like to thank Representative DICKS for providing over $320 million for the National Endowment for the Arts and National Endowment for the Humanities.

Our contributions to the arts and humanities are the standard by which our history as a society will be measured. A strong public commitment to the arts and humanities, along with a dedication to freedom, is the hallmark of great civilizations. History has shown that religious and political freedoms go hand in hand with greater artistic and literary activity, and that the societies that flourish and have a lasting influence on humanity are those that encourage free expression in all of its forms. This is a lesson that resonates with people of every age, background, and belief, and one that we can guarantee our children learn.

Our support for the arts and humanities also has a profound impact on our economy. In my Congressional District, there are close to 2,000 arts-related businesses, providing more than 9,000 jobs. This creates a substantial economic impact. Nationally, the arts industry generates $134 billion in economic activity, sustaining over 5.7 million jobs.

Even more significant is the return on the investment for the American taxpayer. While the federal government spent just over $250 million on the NEA and NEH in Fiscal Year 2007, it collected over $24.4 billion in tax revenue related to the arts industry. Federal funding for the NEA and NEH is crucial to the arts community, helping leverage more state, local, and private funds. Clearly, the numbers show that investment in the arts is important not only to our national identity, but also to our national economy.

Mr. Chairman, we must act decisively to commit ourselves to our national heritage and culture, by voting to properly fund the NEA and NEH. I urge my colleagues to support creativity and reflection, to support our economy, and to support the continued growth and expression of democracy in its fullest form by rejecting this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

□ 2045

AMENDMENT NO. 51 OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 51 offered by Mr. CAMPBELL of California:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for Wetzel County Courthouse, New Martinsville, West Virginia.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, this amendment is dealing with an earmark for $140,000 for the Wetzel County Courthouse in New Martinsville, West Virginia.

Now, Mr. Chairman, I actually looked up on a Web site to see the Wetzel County Courthouse, and it is a building that was built sometime between 1900 and 1902, and it looks like a very fine historic building. I actually am personally into historic preservation. I personally support, through charitable contributions, the preservation of various historic buildings around California, actually, and around the Nation.

I believe that we ought to keep our historic buildings and keep them up and appreciate them and treasure that history that we, as a fairly young country, are just beginning to build. So that's not why I am proposing to strike this earmark from this bill.

It's not that this isn't a historic building; it clearly is. It's not that perhaps it requires some renovation; I don't know, but perhaps it does. But the question is, is this really the sort of thing upon which we should be spending our scarce Federal tax dollars?

Let me point out again that this is a county courthouse. It's not a Federal courthouse; it is a county courthouse in West Virginia. Now, I'm sure that there are taxes, property taxes, whatever, in that county, and perhaps those tax dollars, if the local magistrates felt it was appropriate, could be used for this, or perhaps city dollars in that city or that area, or perhaps State dollars, or perhaps charitable dollars, a preservation society is set up or becomes set up, or whatever, to support this courthouse.

But it just seems completely inappropriate to me, Mr. Chairman, that we are spending scarce Federal dollars on this sort of thing. Now, I have a county courthouse in my county; it was built around the same time. It's old also. I'm sure we could use $140,000 for it. I'm sure we could use $140,000 for any number of county courthouses that are old and historic across this country. Are we going to fund them all? Is it the Federal taxpayers' responsibility to restore them all or to make some contribution to them all? I really don't think so.

And it's not, as I say, that perhaps this isn't a need, but I just don't think it's appropriate to spend Federal tax dollars on this sort of very local objective and local project that has no Federal nexus.

Now, my friends on the other side of the aisle spent a lot of time the last few days talking about PAYGO. But one of the things to point out is that this bill is not subject, the entire bill basically, all of the spending in the budget is not subject to PAYGO because there is a 4.5 percent increase in total spending in this appropriations bill that we're debating tonight. And there is no offset for that 4.5 percent. There is no other spending that is reduced by 4.5 percent. So every dollar we spend on this bill tonight is a dollar that adds to the deficit. Every single dollar contributes to further raiding the Social Security surplus.

So the question is, is this $140,000 that we believe we should increase the Federal deficit by $140,000 for this courthouse, should we raid the Social Security surplus by an additional $140,000 for this courthouse, or should we not spend the taxpayers' money on something like this local project?

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

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Thank you, Mr. Chairman.

Mr. Chairman, I appreciate the opportunity the gentleman offering the amendment gives me to speak in favor of the funding for the Wetzel County Courthouse.

This amendment, Mr. Chairman, would strike funding needed to repair the Wetzel County Courthouse, a very valuable historic structure in that community. It was built, Mr. Chairman, in the first decade of the 20th century. This courthouse is listed on the National Historic Register, and this courthouse serves as the centerpiece for New Martinsville's efforts to preserve its legacy and expand new tourism opportunities.

Wetzel County, Mr. Chairman, is one of the smallest counties in my district, and the county has very limited funds available for capital improvements and repairs to its structures. They need this grant to help protect this important historic property.

Finally, Mr. Chairman, it's important to note that the Wetzel County Courthouse is not just a historic building, however historic and what a grand legacy it has in the county; it still

functions as a courthouse and a county office complex.

Mr. Chairman, I urge a ''no'' vote on the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. MOLLOHAN. I will yield to the gentleman from Washington.

Mr. DICKS. I want to rise in strong support of the gentleman's project. Our committee looked at it very carefully. We think it is an outstanding project and one that deserves to be funded.

I urge a ''no'' vote on the Campbell amendment.

Mr. MOLLOHAN. Mr. Chairman, I thank you and Mr. TIAHRT both for your careful review of this project and the opportunity to input it in the process.

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

Mr. CAMPBELL of California. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIRMAN. The gentleman from California has 1 minute remaining.

Mr. CAMPBELL of California. Thank you, Mr. Chairman.

If I may continue, then. I appreciate the comments from the gentleman from West Virginia. And I frankly don't dispute or have any basis upon which to dispute anything the gentleman said, but that wasn't my point. My point was that it is not appropriate to use Federal funds for this sort of thing, regardless of how great the local community may find this to be a local need.

The Federal tax dollars cannot support every little local project, every local need, every historic building everywhere that we need.

To close, I would like to quote, if I could, Mr. Chairman, Thomas Jefferson, just to let people know that this is not a new issue. And he said, ''Have you considered all the consequences of our proposition respecting post roads? I view it as a source of boundless patronage to the executive, jobbing to Members of Congress and their friends, and a bottomless abyss of public money. You will begin by only appropriating the surplus of post office revenues, but other revenues will soon be called into their aid. And it will be a scene of eternal scramble among the Members as to who can get the most money wasted in their State. And they will always get the most who are the meanest.''

Thomas Jefferson is right. I would ask you to support this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 31 OFFERED BY MS. HARMAN

Ms. HARMAN. Mr. Chairman, I have an amendment at the desk on behalf of Mr. UPTON, Mr. LIPINSKI, Mr. INGLIS of South Carolina and me.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 31 Offered by Ms. HARMAN:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISION

SEC. 601. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' or ''Federal Energy Management Program'' designation.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. HARMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HARMAN. Thank you, Mr. Chairman.

This is a bipartisan amendment offered by Mr. UPTON, Mr. LIPINSKI, Mr. INGLIS and me. We've offered it to every appropriations bill so far and it's been accepted by voice vote to every appropriations bill so far. We're hopeful that the excellent chairman of the Interior Appropriations Subcommittee will accept it in this case.

I do want to commend him, by the way, for putting a superb bill on the House floor, especially in support of the arts and several other projects that I consider very significant.

At any rate, our amendment, bipartisan amendment, asks the government to set an example for the rest of the country by purchasing energy-efficient light bulbs. Existing law requires Federal agencies to buy products that meet Department of Energy, Energy Star or Federal Energy Management Program standards. This amendment adds teeth and says that no fund shall be expended unless this occurs.

Mr. Chairman, it takes about 18 seconds to change a light bulb. In 18 seconds, each of us can change our energy future by changing that light bulb to one of these Energy Star or energy-efficient light bulbs. I'm sure that my coauthor, Mr. UPTON, will offer more specifics on this right now.

Mr. Chairman, I'm pleased to yield to Mr. UPTON.

Mr. UPTON. Mr. Chairman, I might say that, as the gentlelady said, we've offered this amendment that has passed on every appropriation bill thus far.

We know the Federal Government is the largest purchaser of light bulbs in the world. By requiring that only Energy Star light bulbs are purchased, beginning October 1, in fact, we know that we will save the taxpayers hundreds of millions of dollars this next year in terms of energy savings.

We also know that if every home did what the Federal Government is going to do, based on the testimony that we had in the Energy and Air Quality Subcommittee, we would save as a Nation $65 billion, billion, B-as-in-big, kilowatt hours of electricity, which is the equivalent of 80 coal-fire electric plants every single year.

This is a good amendment. It has been bipartisan. We've appreciated the relationship that we've had with the chairman and ranking members of not only the full committee but the subcommittee. I would like to think that we would be able to pass this amendment again by a voice vote and make a stand that in fact the entire government is going to be saving billions of dollars at the end of the day based on the amendment that we're offering today.

Mr. DICKS. Will the gentlelady from California yield?

Ms. HARMAN. I would be happy to yield to the chairman.

Mr. DICKS. We are prepared to accept this amendment. We spent $52 million in EPA's budget for the Energy Star Program, so we agree with you that this is a worthy cause. Energy conservation is a big part of our initial effort on climate change and global warming. I appreciate your leadership on this important issue, and we're prepared to accept the amendment.

Mr. TIAHRT. Will the gentlelady yield?

Ms. HARMAN. I would be happy to yield.

Mr. TIAHRT. I want to congratulate the gentlewoman from California and the gentleman from Michigan for bringing this amendment here. The Energy Star Program has been a very successful program, and it has saved the American taxpayers many, many dollars already. I think this program, again, will get into the billions. It's something that we need to have as part of an overall comprehensive energy plan.

So I commend them on their amendment and encourage the passage of it by voice.

Ms. HARMAN. Reclaiming my time, I would like to thank both the chairman and the ranking minority member and my partner, Mr. UPTON, for our work together. This is a good example of the Federal Government setting a good example and a bipartisanship working in this House. I'm very pleased to be a part of it.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. HARMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAMPBELL of California:

At the end of the bill (before the short title). insert the following:

None of the funds in this Act may be used for the Conte Anadromous Fish Laboratory.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Thank you, Mr. Chairman.

What this amendment proposes to do is basically to strike $150,000 of an earmark that is in the bill to provide equipment for the anadromous fish research in Falls Turner, Massachusetts.

Now, again, I did look up, even though I didn't look up the pronunciation, I did look up enough to know that anadromous fish spend their lives in salt water but migrate to fresh water to reproduce, like salmon. And I'm sure that studying their habits, or whatever this is going to study, is a worthy, I'm going to presume, at least, that it is a worthy intellectual exercise and that perhaps it has value for researchers or people studying fish or whatever it is. And again, like in the last amendment that I offered, that is not my point in proposing that we not use tax dollars to fund this.

□ 2100

But my point instead is with limited tax dollars, limited to $3 trillion, but limited nonetheless, of Federal tax dollars, with a deficit that we have that all of these appropriations bills will increase, not decrease, with the fact that we are still raiding Social Security surplus, is buying equipment for this study in this place something that should command $150,000 of taxpayers' money?

Again, as I mentioned before, I have heard Members on the other side of the aisle constantly refer to their PAYGO as how they are attempting to be fiscally responsible. But yet this bill increases spending by 4.5 percent over last year. There is no PAYGO there. There is no other appropriations bill that is reduced by 4.5 percent to save this money. There are no structural reforms in the entitlement programs, which we all know are scheduled for disaster, to save this money.

So this $150,000 is not just an amorphous $150,000 in a gigantic budget that means nothing. It is a real $150,000 that is using taxpayers' money but will increase the deficit and further raid the Social Security surplus by $150,000.

So the question before the body is not whether this research is interesting, or even whether it is useful to some people. But the question is, is it worth increasing the deficit by $150,000 to fund this? Is this sort of research the sort of thing the Federal Government should be involved in? If we are involved in this, why are we not involved in many, many other forms of research that are going on in my district or the district of every other Member who is here? The reason is because we can't afford to do that.

So I would respectfully suggest that we strike this money.

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I rise in opposition to the amendment by the gentleman from California that would cut valuable research at the Silvio Conte Anadromous Fisheries Laboratory. It is a Federal fisheries laboratory now under the jurisdiction of the U.S. Geological Survey, though when it was built a couple of decades ago, it was under the aegis of the Fish and Wildlife Service. So it is a Federal function in the first place.

This research benefits commercial fisheries and sports fishermen across the Nation. As we now know, the word ''anadromous'' describes any fish species, such as the Atlantic salmon, that is spawned in fresh water but spends the majority of its adult life in salt water before returning to fresh water streams or lakes to spawn and then die.

In the Northeast, as in many other areas of the United States, during the 1800s, dams which altered the stream flow sometimes completely stopped the process of spawning, and pollution degraded the water quality and ended up virtually destroying this fish species that must navigate hundreds of miles of man-made obstructions in order to reach their spawning grounds.

That is exactly what happened to the Atlantic salmon, which was a major sports fishery and commercial fishery in Colonial times in all of the rivers from the Hudson River northward along the coast which included the Housatonic, the Connecticut, the Kennebunk, the Androscoggin and the Merrimac Rivers, those being probably the more major rivers up that way.

Ironically, the Silvio Conte Anadromous Fish Research Lab was established by Congressman Silvio Conte. For those who served with Congressman Conte, he was a Republican ranking member of the Appropriations Committee for all of the years of the 1980s and well into the 1990s, at least a couple of years into the 1990s. He was remembered as quite a remarkable gentleman and quite a remarkable and colorful figure within the Republican Party.

This fisheries research laboratory was created in response to the disappearance of the Atlantic salmon in these Northeastern rivers and the strong regional desire to see a restoration of those salmon runs as a great sports fishery.

The premier laboratory for research on Atlantic salmon and other anadromous fish in the eastern part of this country, at least, I am not sure how one deals with that on the western coast, but on the eastern coast, has been this laboratory in Turners Falls, Massachusetts.

The lab performed the basic and applied research for the improvement of fish passages, for the health and preservation of endangered fish species, and ultimately for the economy and the environment of the Connecticut River watershed, and by connection to the other watersheds where the restoration of the Atlantic salmon has been attempted.

It has been somewhat successful, not wholly successful. The salmon runs are not what they were. A few hundred salmon return to each of these rivers each year. But that is how the thing got started.

The research at the Silvio Conte Fisheries Laboratory improves the understanding of the impact of dams, the effect of the altered flows in the water quality, the various effects of pollution, contaminants on the ecology and migration success of anadromous fish species, and also on the genetics of all those species.

The research includes testing of fish passage designs to facilitate the movement of migratory fish over major dams. And the research is valuable to the region.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to my friend from Massachusetts. He said that so beautifully. I want to hear more.

Mr. OLVER. Mr. Chairman, the research is valuable to regional professionals and policy makers who are involved in the management of sport and commercial fisheries and are attempting to stop and reverse declines in those commercial fish populations across the country.

By the way, the $150,000 that is involved in this amendment is for the acquisition of scientific equipment necessary to this research, which has impacts up and down the eastern coast of the United States for all of the anadromous fisheries. But it was centered in the Atlantic salmon by Congressman Conte.

So I urge the rejection of the amendment by the gentleman from California.

Mr. DICKS. Mr. Chairman, reclaiming my time, I would just like to add that I served with Silvio Conte. He was the ranking Republican member of the Appropriations Committee. I had the chance to pursue anadromous fish in Alaska in Mr. YOUNG's district with Mr. Conte. There was no more avid fisherman than Silvio Conte. But he wasn't just a fisherman who liked to catch fish. He was also someone who cared about the resource and wanted to see the resource restored in the Atlantic States.

Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I am sure that the gentleman from Alaska (Mr. YOUNG) would remember that Silvio Conte has a very plush hunting lodge

named for him somewhere in the Kodiak, I think it is, that I am sure you have visited, Mr. YOUNG.

Mr. DICKS. Mr. Chairman, reclaiming my time, I wanted Mr. CAMPBELL to know all this history so that tonight he will just say, how could I have done it? How could I have done it to old Silvio? Let's have a ''no'' vote on this amendment.

Mr. Chairman, I yield back my time.

□ 2115

Mr. CAMPBELL of California. Mr. Chairman, I appreciate the gentleman from Massachusetts' reasoned defense of this. We are just going to have to disagree. He said in part of his comments that this is something which is of great interest to commercial fishermen and sports fishermen, so it begs the question of, is that what we are in the business of doing with Federal tax dollars, in increasing the deficit, et cetera, in order to provide research and information for sports fishermen and commercial fishermen? I happen to think we are not.

Mr. Chairman, I yield the balance of my time, except for 15 seconds, to my friend the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I remember serving with Silvio Conte, and he did love fish, but he also didn't like some of the boondoggle subsidies. You will recall he used to go to the floor with a pig's nose on every year and talk about the subsidy to beekeepers. So he saw some things that weren't supposed to be utilized for Federal funding, and the gentleman understands that.

I would just say, if we are worried about endangered species in the Northeast, maybe we could restore at least one Republican in Massachusetts in the name of Silvio Conte.

Mr. CAMPBELL of California. Reclaiming my time, I guess perhaps Silvio Conte might have said this same thing, but in 1822, President James Monroe said that Federal money should be limited to ''great national works only, since if it were unlimited, it would be liable to abuse and might be productive of evil.''

Mr. Chairman, I would ask for support of this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

The Acting Chairman. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I yield to Mr. FOSSELLA.

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman for yielding. I would like to engage Mr. DICKS in a colloquy.

Mr. Chairman, I would like to thank the chairman and the ranking member, Mr. TIAHRT, for their willingness to work on an important issue to my district in Staten Island.

In recent years, forests in Staten Island and other parts of New York, yes, New York City does have forests, have been under attack by the Asian Longhorned Beetle. The beetle has already eliminated 8,400 trees and, according to a recent New York Times article, Federal and State officials are expecting to eliminate 10,000 trees on Staten Island and Pralls Island due to the infestation of this invasive species. This does not include the additional 13,000 trees that are going to be sprayed with pesticides. In the United States, 35 percent of all urban trees are at risk, at a combined replacement value of $669 billion.

An infested silver maple tree located on a private wooded lot in Bloomfield in Staten Island is the first evidence of Asian Longhorned Beetle found. It was detected on March 22nd of this year. Thankfully, its early detection gives hope that the threat can be contained before it spreads to the nearby Staten Island Greenbelt Forest. However, without having the proper control mechanism in place by the July hatching period, Staten Island's 2,800 acre Greenbelt is in peril.

In May of this year, after the discovery of this on Staten Island, I wrote to the Secretary of Agriculture urging him to direct the U.S. Forest Service to develop a plan to address the Asian Longhorned Beetle in New York City.

The Greenbelt is one of the largest natural areas within the five boroughs of New York City and provides the most extensive system of connected trails within it. In contrast to other parks, such as Central Park and Prospect Park, the Greenbelt is maintained in a more natural state, both in the forested hills and the low-lying wetlands, and provides New York City residents a place to camp without having to drive 2 hours or more upstate.

In 2001, the United States Department of Agriculture forecast that the Asian Longhorned Beetle would be eliminated by 2009, but, unfortunately, due to a lack of funding, the Department of Agriculture now estimates it will take at least until 2033 to eradicate this 1½ inch beast. These funding setbacks reveal that the beetle will not only stick around in areas in which they currently reside, but they will also spread to new urban forest areas.

The bill before us today increases the Cooperative Lands Forest Health Management program by $9 million over the President's request of $47 million. With these additional funds, it is my hope that the United States Forest Service will dedicate some of these additional resources to fighting the beetle and eventually eliminate it from our forests.

Mr. Chairman, this is an urgent and serious problem for Staten Island and the rest of New York City's forests. I look forward to working with you to make sure the Forest Service has the necessary funding to eliminate this beetle and protect the trees that have thus far survived the beetle but may not be able to live much longer.

I would like you to be willing to work on this issue.

Mr. DICKS. Mr. Chairman, reclaiming my time, I would like to thank Mr. FOSSELLA for joining with me in this colloquy today and for bringing up this issue of national importance. The Asian Longhorned Beetle not only impacts forests in the northeast but also has been discovered until several cities, like Chicago. Invasive species like the Asian Longhorned Beetle are a serious problem, and I will urge the Department of Agriculture and the Forest Service to develop a plan to control the beetle. I also recommend using portions of the additional funding in the development of this plan.

AMENDMENT NO. 4 OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. CONAWAY:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order against the amendment.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I will attempt to be mercifully brief. My amendment would simply do this: Our rules and the way we function here would prevent all of the hard work that goes on in attempting to reduce spending. All of the efforts on behalf of many of my colleagues to actually trim things out of this spending plan really, they labored in vain. Because the mechanics of the system are that should we prevail in any of these votes later on tonight or tomorrow to actually reduce spending, then that money stays within the 302(b) category and is reallocated at some other point in the future and does not really reduce spending.

I understand this is a futile effort and the point of order will be sustained, so I don't intend to push it further than this, simply to use this time to bring my colleagues' attention to a failure in our system to in effect protect us from ourselves.

I have a standalone bill that would mechanically allow that any reductions in the spending that occur as a result of the hard work here in this Chamber on this bill that would go against the deficit to reduce the deficit, or should we ever get back into a surplus circumstance, would actually increase that surplus.

So, Mr. Chairman, I bring this to the attention of my colleagues. I do not intend to push it to a vote.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. KING of Iowa.

An amendment by Mr. PETERSON of Pennsylvania.

An amendment by Mr. CONAWAY of Texas.

An amendment by Mr. BISHOP of Utah.

An amendment by Mr. BARTON of Texas.

Amendment No. 7 by Ms. EDDIE BERNICE JOHNSON of Texas.

Amendment No. 13 by Mr. DENT of Pennsylvania.

An amendment by Mr. PEARCE of New Mexico.

Amendment No. 34 by Mr. HENSARLING of Texas.

Amendment No. 44 by Mr. HENSARLING of Texas.

Amendment No. 56 by Mr. HENSARLING of Texas.

Amendment No. 74 by Mr. HENSARLING of Texas.

An amendment by Mr. ANDREWS of New Jersey.

Postponed votes on other amendments will be taken at a later time.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 156, noes 274, not voting 7, as follows:

[Roll No. 551]

AYES—156

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Ellsworth
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Patrick
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOES—274

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rehberg
Reichert
Reyes
Reynolds
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—7

Davis (KY)
Davis, Jo Ann
Gilchrest
Mahoney (FL)
Ortiz
Payne
Sessions

□ 2141

Mr. CRAMER and Mr. ALTMIRE changed their vote from ''aye'' to ''no.''

Mr. BAKER and Mr. RADANOVICH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. HULSHOF was allowed to speak out of order.)

IN MEMORY OF THE LATE HONORABLE WILLIAM HUNGATE

Mr. HULSHOF. Mr. Chairman, this past Friday, the great State of Missouri and the country lost a truly distinguished man, Congressman Bill Hungate, a man who previously represented the very seat that I am now privileged to currently occupy passed away.

Bill Hungate was a devoted husband and father. He was a decorated soldier. He was a talented and thoughtful jurist, and a gifted author and musician. But above all else, he was a man dedicated to public service.

After earning his bachelor's degree from the University of Missouri in 1943, Bill answered the country's call at the onset of World War II and enlisted in the Army. He fought bravely in the European theater over the course of the

next 3 years, and received numerous decorations and awards.

After the war was over, he returned home and earned his law degree from Harvard and after a short time in the private sector, he embarked upon a long and distinguished career in public service. He started first as a county prosecutor, then was a special assistant for the Missouri attorney general, and in 1964, he was elected as a Member of the 89th Congress, representing the 9th Congressional District of Missouri, and I see some of my colleagues nodding along who served with this great man.

As a Member of this body, he carried himself and conducted our business in a manner that befits this historic Chamber. Many of you may acknowledge or remember that as a member of the Judiciary Committee, his tenure in Congress will always be defined by the Watergate investigation of which he played an integral part. He not only authored one of the articles of impeachment brought against President Nixon, but he also chaired the hearings that investigated and ultimately upheld President Ford's ensuing pardon.

After serving the people of Missouri for 12 distinguished years, he left this Chamber with the same values and integrity that he walked in with. A few years later, he was called again to serve, this time by President Carter as a United States District Court judge, and the indelible marks he left on that institution are still felt today. And my colleague will probably remember the landmark decision of his which eventually led to the voluntary desegregation of the St. Louis county and city school districts.

Judge Hungate was a man on his worse day who was better than most people on their best. He never wavered in his principles, and was a firm believer in the promise of our country. He was a servant in the truest sense of the word.

I hope it is of some solace to his wife, Dorothy, his daughter Katie, his son William and his four grandchildren to know that so many people were affected by his life and are mourning his passing, and our thoughts and prayers are with them.

I yield to my very good friend and the dean of the Missouri delegation, the gentleman from Lexington, Mr. SKELTON.

Mr. SKELTON. I thank the gentleman for yielding and giving me this opportunity to memorialize and to remember a truly outstanding Missourian and American.

Bill Hungate was elected to Congress in 1964 and served until my class of 1976 arrived. Undoubtedly one of the most popular Members of this body, warm, jovial, a musician, he always had a good word and a cheery smile. He will be remembered for his work in Congress, but I think remembered most as a warm and decent human being.

After leaving Congress he became a Federal judge, and did quite well in that position. Whatever he did, he did well, as well as make friends and did an awful lot for our wonderful State of Missouri.

So I ask, Mr. Chairman, if we may pause for a moment of silence remembering the late Bill Hungate.

The Acting CHAIRMAN (Mr. BECERRA). All Members will rise and observe a moment of silence.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Without objection, 2-minute voting will continue.

There was no objection.

AMENDMENT OFFERED BY MR. PETERSON OF PENNSYLVANIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 233, not voting 8, as follows:

[Roll No. 552]

AYES—196

Abercrombie
Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Bean
Bishop (UT)
Blackburn
Blunt
Boehner
Boozman
Bordallo
Boren
Boswell
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Cooper
Cramer
Cubin
Cuellar
Culberson
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Doolittle
Doyle
Drake
Duncan
Edwards
Emerson
English (PA)
Everett
Fallin
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gerlach
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hinojosa
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jefferson
Jindal
Johnson, Sam
Jordan
Kanjorski
Kind
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Radanovich
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ryan (WI)
Salazar
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Souder
Space
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOES—233

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Campbell (CA)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Dreier
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Feeney
Ferguson
Filner
Frank (MA)
Frelinghuysen
Gallegly
Giffords
Gillibrand
Gillmor
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meeks (NY)
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Petri
Pomeroy
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Reichert
Rogers (AL)
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—8

Davis (KY) Gilchrest Payne
Davis, Jo Ann Meek (FL) Sessions
Garrett (NJ) Ortiz

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). One minute remains in the vote.

□ 2152

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BARTON of Texas was allowed to speak out of order.)

CHARITIES ULTIMATE WINNERS IN ANNUAL ROLL CALL CONGRESSIONAL BASEBALL GAME

Mr. DOYLE. Mr. Chairman, reserving the right to object, could I ask my friend what the subject is?

Mr. BARTON of Texas. I tell my dear friend from Pennsylvania that the subject is the object before me, the coveted Roll Call congressional baseball trophy.

Mr. DOYLE. Mr. Chairman, in the interest of comity, I am going to remove my objection and let the gentleman proceed.

Mr. BARTON of Texas. I thank my good friend from Pennsylvania.

Last night at RFK Stadium we had the 46th Annual Congressional Charity baseball game. The beneficiaries are the Washington Literacy Council and the Washington D.C. Boys and Girls Club. Those two groups will receive in the neighborhood of $90,000 thanks to the Members of Congress on both sides of the aisle.

It was a hard-fought game. There were excellent plays on both sides, but when the dust had cleared, for the seventh time in a row, the Republican team, playing on a level playing field with fair rules won a hard-fought 5–2 victory.

JOHN SHIMKUS and CHIP PICKERING were our MVPs, but the entire Republican team, every member of the Republican team got into the game through pitching, batting or running. Some did better than others in those endeavors, but we had a good time and nobody was hurt.

I would like to yield to my good friend, MIKE DOYLE, the distinguished manager of the Democratic team.

Mr. DOYLE. Or as my colleagues on the Democratic side have referred to me, the former manager of the Democratic team.

I want to say that I agree with my good friend, JOE BARTON, on one thing: The real winners last night were the charities, the Washington Boys and Girls Club and the Washington Literacy Council. This is a great tradition in its 46th year.

It was a hard-fought game. We have this very charitable gift on the Democratic side where we manage to have one inning where we completely fall apart and give the Republicans a bunch of runs. Last night was no exception.

Mr. BARTON of Texas. We thank you very much for that.

Mr. DOYLE. We had a stellar performance from JOE BACA who walked no batters, struck out four and only gave up one earned run of those five. The other four were compliments of the rest of the Democratic team.

I want to publicly apologize to those members who came out to practice every day and didn't get a chance to play. That is the one thing I do feel bad about. We will try to do better next year.

Our congratulations to the Republicans.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Without objection, 2-minute voting will continue.

There was no objection.

AMENDMENT OFFERED BY MR. CONAWAY

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CONAWAY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 264, not voting 6, as follows:

[Roll No. 553]

AYES—167

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Camp (MI)
Cannon
Cantor
Capito
Carter
Coble
Cole (OK)
Conaway
Cooper
Cramer
Cubin
Cuellar
Culberson
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Duncan
Edwards
Emerson
English (PA)
Everett
Fallin
Flake
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hinojosa
Hoekstra
Holden
Hulshof
Hunter
Issa
Jefferson
Jindal
Johnson, Sam
Jordan
Kanjorski
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Lamborn
Lampson
Latham
LaTourette
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Radanovich
Regula
Rehberg
Renzi
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Space
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Upton
Walberg
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Young (AK)

NOES—264

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Bordallo
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Campbell (CA)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Dreier
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gillibrand
Gillmor
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Reichert
Reyes
Reynolds
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wilson (SC)

Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—6

Davis (KY)
Davis, Jo Ann
Gilchrest
Ortiz
Payne
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in the vote.

□ 2159

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 270, not voting 11, as follows:

[Roll No. 554]

AYES—156

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boustany
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Giffords
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Pomeroy
Price (GA)
Putnam
Radanovich
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Walberg
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—270

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Reynolds
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—11

Buyer
Christensen
Davis (KY)
Davis, Jo Ann
Farr
Gilchrest
Gutierrez
Ortiz
Payne
Sessions
Stark

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in the vote.

□ 2202

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BARTON OF TEXAS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BARTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 153, noes 274, not voting 10, as follows:

[Roll No. 555]

AYES—153

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Walberg
Walden (OR)
Wamp
Weldon (FL)
Westmoreland

Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—274

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—10

Bachus
Davis (CA)
Davis (KY)
Davis, Jo Ann
Gilchrest
Ortiz
Payne
Schwartz
Sessions
Welch (VT)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining to vote.

□ 2206

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 252, noes 178, not voting 7, as follows:

[Roll No. 556]

AYES—252

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—178

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Davis, Lincoln
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Kanjorski
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stupak
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp

Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)

NOT VOTING—7

Davis (KY)
Davis, Jo Ann
Gilchrest
Ortiz
Payne
Pickering
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in the vote.

□ 2210

Messrs. SKELTON, WELCH of Vermont and LYNCH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. DENT

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. DENT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 236, not voting 7, as follows:

[Roll No. 557]

AYES—194

Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Conaway
Cooper
Costello
Crenshaw
Cubin
Culberson
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Dent
Donnelly
Doolittle
Drake
Duncan
Ehlers
Ellsworth
Emerson
Everett
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
LaHood
Lamborn
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Rogers (AL)
Rogers (KY)
Rogers (MI)
Roskam
Royce
Sali
Saxton
Schmidt
Schwartz
Sensenbrenner
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—236

Abercrombie
Ackerman
Allen
Baca
Bachmann
Baird
Baldwin
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Calvert
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Dreier
Edwards
Ellison
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
Lampson
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Loebsack
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Pearce
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Reynolds
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sullivan
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—7

Davis (KY)
Davis, Jo Ann
Gilchrest
Ortiz
Payne
Ros-Lehtinen
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute left to vote.

□ 2214

Mr. SCHIFF changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PEARCE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. PEARCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 258, not voting 7, as follows:

[Roll No. 558]

AYES—172

Aderholt
Akin
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Berry
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Coble
Cole (OK)
Conaway
Costa
Crenshaw
Cubin
Culberson
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Fallin
Feeney
Flake
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi

Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Ryan (WI)
Salazar
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—258

Abercrombie
Ackerman
Alexander
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—7

Davis (KY)
Davis, Jo Ann
Gilchrest
Ortiz
Payne
Pickering
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that they have 1 minute to vote.

□ 2218

Mrs. BIGGERT changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 34 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 331, not voting 8, as follows:

[Roll No. 559]

AYES—98

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Boehner
Brady (TX)
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, M.
Duncan
Ehlers
Fallin
Feeney
Flake
Fortenberry
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Goodlatte
Graves
Hall (TX)
Hastert
Heller
Hensarling
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
McCarthy (CA)
McCaul (TX)
McHenry
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Upton
Walberg
Westmoreland
Wilson (SC)

NOES—331

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Forbes
Fortuño
Foxx
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner

Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Davis (KY)
Davis, Jo Ann
Gilchrest
Herger
Norton
Ortiz
Payne
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members have 1 minute remaining in this vote.

□ 2221

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 44 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 97, noes 328, not voting 12, as follows:

[Roll No. 560]

AYES—97

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Bilbray
Bishop (UT)
Blackburn
Boehner
Bono
Brady (TX)
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Feeney
Flake
Fortenberry
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Graves
Hall (TX)
Hastert
Heller
Hensarling
Herger
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kline (MN)
Lamborn
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Poe
Price (GA)
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Upton
Walberg
Westmoreland
Wilson (SC)

NOES—328

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Forbes
Foxx
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Christensen
Costello
Davis (KY)
Davis, Jo Ann
Fortuño
Gilchrest
Kaptur
Ortiz
Payne
Pickering
Sessions
Woolsey

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members have 1 minute to vote.

□ 2224

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 56 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 316, not voting 7, as follows:

[Roll No. 561]

AYES—114

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bono
Brady (TX)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Castle
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Fallin
Feeney
Flake
Fortenberry
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Graves
Hall (TX)
Hastert
Heller
Hensarling
Herger
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Upton
Walberg
Westmoreland
Whitfield
Wilson (SC)
Young (AK)

NOES—316

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)

Bishop (NY)
Blumenauer
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Buyer
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Forbes
Fortuño
Foxx
Frank (MA)
Frelinghuysen
Giffords
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—7

Davis (KY)
Davis, Jo Ann
Gilchrest
Gutierrez
Ortiz
Payne
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members have 1 minute to vote.

□ 2228

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. MEEHAN was allowed to speak out of order.)

HAPPY BIRTHDAY TO CONGRESSMAN NEIL ABERCROMBIE

Mr. MEEHAN. Mr. Chairman, I rise to congratulate our colleague, Mr. NEIL ABERCROMBIE, today on his 69th birthday.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Without objection, 2-minute voting will resume.

There was no objection.

AMENDMENT NO. 74 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 333, not voting 6, as follows:

[Roll No. 562]

AYES—98

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Biggert
Bilbray
Bishop (UT)
Blackburn
Boehner
Bono
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, M.
Duncan
Ehlers
Feeney
Flake
Fortenberry
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Gohmert
Graves
Hall (TX)
Hastert
Heller
Hensarling
Herger
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Kanjorski
Keller
King (IA)
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Upton
Walberg
Westmoreland
Wilson (SC)

NOES—333

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortuño
Foxx
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt

Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—6

Davis (KY)
Davis, Jo Ann
Gilchrest
Ortiz
Payne
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2232

Mr. CAPUANO changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ANDREWS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 283, noes 145, not voting 9, as follows:

[Roll No. 563]

AYES—283

Ackerman
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Bonner
Bordallo
Boucher
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Campbell (CA)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doyle
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Flake
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Hensarling
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Norton
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Perlmutter
Petri
Platts
Poe
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Rodriguez
Ros-Lehtinen
Roskam
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—145

Abercrombie
Aderholt
Alexander
Bachmann
Baker
Barton (TX)
Berry
Bishop (GA)
Bishop (UT)
Blunt
Boehner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Carter
Cole (OK)
Conaway
Costa
Crenshaw
Cubin
Culberson
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
Everett
Fallin
Feeney
Forbes
Fortuño
Fossella
Franks (AZ)
Gallegly
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Jindal
Johnson, Sam
King (IA)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Larsen (WA)
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mollohan
Musgrave
Neugebauer
Nunes
Oberstar
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Porter
Putnam
Radanovich
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Ruppersberger
Salazar
Sali
Sarbanes
Serrano
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stupak
Sullivan
Tancredo
Thornberry
Tiahrt
Turner
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)

NOT VOTING—9

Clay
Davis (KY)
Davis, Jo Ann
Gilchrest
Gutierrez
Ortiz
Payne
Rogers (AL)
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2236

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Chairman, on Tuesday, June 26, 2007, I was absent from the House for a familial medical emergency.

Had I been present I would have voted:

On rollcall No. 551—''aye''—King (IA) Amendment to H.R. 2643.

On rollcall No. 552—''aye''—Peterson (PA) Amendment to H.R. 2643.

On rollcall No. 553—''aye''—Conaway Amendment to H.R. 2643.

On rollcall No. 554—''aye''—Bishop (UT) Amendment to H.R. 2643.

On rollcall No. 555—''aye''—Barton Amendment to H.R. 2643.

On rollcall No. 556—''no''—Bernice Johnson Amendment to H.R. 2643.

On rollcall No. 557—''aye''—Dent Amendment to H.R. 2643.

On rollcall No. 558—''aye''—Pearce Amendment to H.R. 2643.

On rollcall No. 559—''no''—Hensarling Amendment to H.R. 2643.

On rollcall No. 560—''no''—Hensarling Amendment to H.R. 2643.

On rollcall No. 561—''no''—Hensarling Amendment to H.R. 2643.

On rollcall No. 562—''no''—Hensarling Amendment to H.R. 2643.

On rollcall No. 563—''no''—Andrews Amendment to H.R. 2643.

Mr. DICKS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HALL of New York) having assumed the chair, Mr. BECERRA, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, Environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

THE NATIONAL DEBT

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, I have with me a sign that I am proud of tonight. This is entitled the Blue Hound Dog Coalition because it is such a great idea to keep reminding the majority of what the debt is.

These are great signs, very similar to some we see around the halls. I know some people in our body are not wanting their signs to be brought to the floor; so I had to have one made up special myself. But it is a great thing to remind the majority of what the debt is because Democrats are in the majority. It is no longer Republicans that can be blamed for running up the price of gasoline. It is no longer Republicans that can be blamed for running up the debt.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Maryland.

Mr. HOYER. How did it get to be $8.8 trillion? When you took over, it was only at $5 trillion. How in heaven's name over the last 6 years could you possibly be so irresponsible to take it from $5.5 trillion to $8.8 trillion? I am amazed, shocked, chagrined, and saddened.

Mr. GOHMERT. Reclaiming my time, it is like my momma used to say, you are responsible for what you are responsible for. The numbers are going up every day and it is on your watch. And I congratulate the gentleman. The numbers continue to climb, and I look forward to seeing what you do with them.

THE NATIONAL DEBT

(Mr. CARDOZA asked and was given permission to address the House for 1 minute.)

Mr. CARDOZA. Mr. Speaker, Mr. GOHMERT clearly doesn't realize that under Mr. Reagan we had a $1.41 trillion deficit. Under Mr. Bush 1, we had a $1.04 trillion deficit. Under Bush 2, we had a $1.69 trillion deficit, for a total of $4.14 trillion under Republican administrations. Under Mr. Clinton, we actually had a $62.9 billion surplus.

So I would like to ask the gentleman who is truly responsible for the national debt?

I yield to the gentleman.

Mr. GOHMERT. Mr. Speaker, I appreciate the gentleman's yielding for the answer. I know we are all grateful to the Republican Congress since 1994 and 1995 and the great strides that were made in reducing the deficit. It has gone up since the war, and I look forward to seeing if you continue to increase it or help some of the rest of us bring it down.

FOREIGN DEBT

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I might also add to my good friend, the gentleman from Texas, that this President, our 43rd, has racked up more foreign debt than all 42 previous Presidents combined.

So if we are going to discuss who it is that is responsible for the numbers on your mock-up chart, let's ensure that we put the full blame on the 43rd President who is fully responsible for the number on that chart and fully responsible for the debt that has been accumulated more than the 42 other Presidents combined.

□ 2245

THE NATIONAL DEBT

(Mr. COSTA asked and was given permission to address the House for 1 minute.)

Mr. COSTA. I think it's important that when we're talking about the debt, that we be up front with the facts for the American public. Yes, the war has certainly cost a great deal, but it's off budget. It's off budget, just like a host of items that are off budget, specifically designed in that way.

The largest single segment on the debt is the interest on the debt, which is 6 percent and growing rapidly. And it's true that we've acquired more debt in the last 42 years than the previous 41 Presidents than this President has accomplished in his last 6 years.

So I think it's important that we be up front with the American people when we're talking about the debt and the figures that are involved there.

Yes, we've got to turn this ship around. It won't come overnight, but it will come with the bipartisan cooperation that I think we saw took place with President Clinton's administration, and that's what we ought to be doing.

WHO IS RESPONSIBLE FOR THE NATIONAL DEBT

(Mr. SALI asked and was given permission to address the House for 1 minute.)

Mr. SALI. Well, Mr. Speaker, and ladies and gentlemen that are here, there has been a great discussion about who is actually responsible for all this debt, which team it is. And I think at the end of the game, the conclusion has to be that, by golly, maybe you just can't trust anybody around here. And so I would encourage the good majority leader to make sure that a balanced budget amendment gets passed through this House this year so that the next time that the Republicans take control of this body, by golly, they won't engage in any deficit spending.

There is the challenge to the majority right now, to make sure that you keep the Republicans under control.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HALL of New York). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

RADIO FREE AMERICA AND THE SPEECH POLICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, it is written, ''Congress will make no law respecting the establishment of religion or prohibiting the free exercise thereof, or bridging the freedom of speech or the freedom of press or the right of the people to peaceably assemble and to petition the government for redress of grievances.'' Of course, this is the First Amendment to the United States Constitution. And Mr. Speaker, it is first because, without these first principles, the rest of the following amendments are meaningless. These are rights that Americans take very seriously, particularly in regard to freedom of speech and freedom of the press.

There are some in Washington, D.C., however, that feel if someone is saying something they don't like, they ignore this freedom of the right to speak and try to control speech. This is where the so-called Fairness Doctrine comes into play.

In the early 1940s, the Federal Communications Commission, or the FCC, established the so-called Fairness Doctrine. It was instituted in an attempt to ensure that all broadcast station coverage of controversial issues be fair and balanced. This mainly applied to radio stations. This means allowing equal time for each side on an issue. If a radio station wanted to talk about the need to secure the borders, they would have to grant the same amount of time to individuals who wanted open borders.

The Fairness Doctrine was considered by many journalists a violation of the First Amendment right to freedom of speech and freedom of press. And I agree with this assertion. It even led many journalists to avoid reporting on controversial issues to protect themselves from having to report on the other side of the issue. This led to the opposite effect of the doctrine that the FCC had intended. It actually stifled free speech.

So, by 1987, the FCC revoked the Fairness Doctrine, realizing the gross error in their ways in total disregard for the freedom of speech. There have been several attempts by speech-control advocates to reenact the Fairness Doctrine, and all of these attempts have continued to fail. But this decision still does not sit well with many in Washington, D.C., who feel that broadcast talk radio is one-sided. What it really means is that talk radio largely boasts conservative views and not liberal viewpoints. Liberal radio doesn't go over well with Americans, and these stations generally fail financially and with the American listeners. So the critics of conservative radio

have started a movement to eliminate conservative talk radio unless equal time is allowed for liberal viewpoints. Basically, they want a reinstatement of the unfair Fairness Doctrine. But what the critics may really be irate about deals more with illegal immigration than it does with talk radio, because that is the current controversial issue on talk radio stations.

Since their voices are so rarely heard in Congress, the American public has come to express their opinions by talk radio, especially on this issue of illegal immigration. The backroom, closed-door meetings the Senate has had to reach a deal on amnesty that the American public certainly doesn't want has encouraged talk radio shows to inform the public of this absurd nonsense of amnesty.

Talk radio has been one of the only vehicles that has kept the public informed about the ''give America away'' amnesty program and the political pandering and preference policies for illegals that the Senate bill is advocating.

So because the amnesty crowd doesn't like what they hear on the radio, they want the Federal Government to control this speech by forcing radio stations to give them free air time. If the liberals don't like talk radio, it is patently unfair to force radio stations to pay for and give away air time to them. You see, liberals can't make their case on their own radio station because no one listens to them.

So, Mr. Speaker, the Constitution protects free speech, not equal speech. Congress is to make no law abridging the freedom of speech whether we like the speech or not.

It's simple, Mr. Speaker, speech is to be free, not fair. Fair is too subjective a word. Our grandfathers guaranteed us free speech, not fair speech, and there is a big difference.

Congress is to stay out of the controlling of speech business because it says so in the U.S. Constitution. Our ancestors wrote the First Amendment mainly to protect two types of speech, political speech and religious speech. Those are the most controversial of all types of speech and the most important types of speech. That's why they are protected in our Constitution.

By trying to regulate what is said on the airways, the Federal Government and the speech police are speaking out of line.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRATS NOT MOVING TOWARDS ENERGY INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. SALI) is recognized for 5 minutes.

Mr. SALI. Mr. Speaker, every Member of this body recognizes the honor our constituents have reposed in us in allowing us to serve them here. For me to represent the people of my hometown, my home county, the entire western part of my State in the House of Representatives is an extraordinary honor.

Like all my colleagues, I try to remember why my constituents sent me here. Perhaps Thomas Jefferson captured best what our service here as Members of Congress should really be about, and I quote. ''A wise and frugal government, which shall leave men free to regulate their own pursuits in industry and improvement, and shall not take from the mouth of labor and the bread it has earned.'' This philosophy is not reflected in the priorities of the new majority which, interestingly, celebrates Thomas Jefferson as its founder.

It has appeared to me over the past 6 months the priorities of the new majority are increasing government spending, growing the Federal bureaucracy and deepening America's dependence on foreign fuels.

In the past 3 months of the second quarter of this year, the new majority has approved more than $80 billion in new spending, new spending for programs, including a proposal to spend Idahoans' hard-earned tax dollars to pay off the student loans of practicing attorneys. At a time when the national debt is out of control, authorizing $80 billion in new spending just cannot be seen as fiscally responsible.

This new majority has also proposed an increase in Federal bureaucracy. Just recently I was in a hearing discussing legislation that would add yet another layer of red tape to Federal agencies in order to improve customer service. Adding another layer of government bureaucracy is far from frugal, but more ironically, since when has more government ever improved government? Since when has adding more government ever improved government?

Another priority of the new majority is the energy bill, which I've been calling the ''no energy'' bill. America should be moving towards energy independence. America's economy growth, Idaho's manufacturing and agriculture future and our families' ability to make ends meet are all intertwined. The new Democrat majority, however, is not moving towards energy independence. Rather, the ''no energy'' bill will only serve to increase America's dependence on foreign fuels.

In their bill, our friends across the aisle propose to curtail nearly all forms of domestic exploration and development, including resources of ANWR, natural gas reserves, offshore drilling reserves, oil shale deposits, nuclear power and hydropower. Such a policy can only increase America's reliance on foreign fuel. Instead, America should be fully engaged in exploration and development of domestic energy.

This exploration and development should be coupled with the development of alternative energy. The majority, however, proposes to bury the development of alternative biomass energy in a myriad of legal challenges and bureaucracy surrounding the so-called Clinton administration Roadless Rule.

The new majority's assault on energy development does not end there, instead extending the assault to one of the most green energies, wind energy. The new Democrat majority recently held a hearing to give ear to complaints that wind energy causes fatalities among the bird and bat populations of this country. Now, holding a hearing on bird and bat fatalities from wind energy does not just sound absurd; it is, particularly when you consider that many more times birds are killed by office windows, cars and trucks, and, of course, cats than by windmills. What's next, outlawing sky scrapers? Outlawing cars and trucks?

America's energy crisis must be solved. Continued reliance on foreign energy while simultaneously curtailing domestic development and exploration will only result in higher and higher fuel prices at the pump. That is an unacceptable result, and Congress must be committed to pursuing policies to reduce our dependence on foreign fuel.

Unfortunately, the priorities of the new majority, as evidenced over the second quarter, are not Idaho's priorities, and consequently, they are not

my priorities. In my view, Congress must make it a priority to cut spending, making the tough choices to live within its means. Congress must make it a priority to shape bureaucracy in Federal Government. And Congress must work to solve the energy crisis by providing for domestic exploration and development.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2300

HONORING LT. COL. KEVIN SONNENBERG

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, tonight, I rise to honor the life of Lt. Col. Kevin Sonnenberg of the Ohio National Guard, another American war hero who was laid to rest today in his beloved State of Ohio. His peers have noted that Col. Sonnenberg will be remembered as a fearless fighter pilot who perished before his time serving the Nation he loved.

Col. Sonnenberg died on the 15th of June, 2007, when his F–16 Fighting Falcon crashed near Balad Air Base in Iraq, shortly after takeoff.

He had just departed on a mission to provide air support to Coalition ground forces fighting anti-Iraq forces.

Colonel Kevin Sonnenberg was an instructor pilot and C Flight Commander assigned to the 112th Fighter Squadron in Toledo, Ohio. He had numerous deployments with the unit, including Operation Northern Watch, Turkey; Operation Southern Watch, Kuwait; Operation Enduring Freedom, Qatar; and Operation Iraqi Freedom, Iraq. He truly is an American hero.

Colonel Sonnenberg was well decorated for his service during these missions, receiving awards and decorations including: The Bronze Star, Meritorious Service Medal with Valor, the Air Medal, the Aerial Achievement Medal with two Devices, the Air Force Achievement Medal with two Devices, the Joint Meritorious Unit Award with Gold Border, the Air Force Outstanding Unit Award with one Device, the Combat Readiness Medal with four Devices, the National Defense Service Medal with one Device, the Armed Forces Expeditionary Medal, Iraq Campaign Medal, Global War on Terror Service Medal, the Air Expeditionary Ribbon with Gold Border, the Air Force Longevity Service Award with three Devices, the Armed Forces Reserve Medal with four Devices, the Bronze Hourglass ''M'', Arabic four, Small Arms Expert Marksmanship Ribbon with one Device, the Air Force Training Ribbon, the Ohio Distinguished Service Medal with Valor, and the Ohio Faithful Service Ribbon with two Devices.

A 1983 graduate of Napoleon High School, Kevin Sonnenberg earned a Bachelor of Science degree from Bowling Green State University in 1987. He graduated from the Academy of Military Science in 1991, followed by the Squadron Officers School in 2001 and the Air Command and Staff College in 2007.

An Instructor Pilot of F–16s with more than 1,900 hours flown, Lieutenant Colonel Sonnenberg served several assignments in his tenure with the Ohio Air National Guard, including his most recent with the 112th Fighter Squadron.

A traditional member of the Ohio National Guard, Lieutenant Colonel Sonnenberg was also a commercial pilot and farmer. He had been a commercial airline pilot with Delta Airlines since from 2000 until his death. He grew up farming with his father and remained devoted to their partnership.

In the Great War of the last century, the poet Alfred Noyes penned his thoughts about English fighter pilots in ''To the Royal Air Force.'' His words written so long ago capture the spirit of today's F–16 fighter pilots and Kevin Sonnenberg when he wrote,

''Whether at midnight or at noon,
''Through mist or open sky,
''Eagles of freedom, all our hearts
''Are up with you on high . . .
''From realms beyond the sun
''And whisper, as their record pales,
''Their breathless, deep, Well Done!''

His fellow airmen wrote that, ''Lieutenant Colonel Sonnenberg will be remembered as a Renaissance man, able to maneuver America's most advanced aircraft in a perilous war zone one week and then discuss corn and soybean crops with Henry County farmers the next. And he did both with his natural, down-home nature that endeared him to so many across Ohio, the Air Force and the world. He should be honored as a patriot whose commitment to his country was surpassed only by his devotion to God.''

Lieutenant Colonel Kevin Sonnenberg was a man of action, a man of character, a man who revered God and country and family. He drank deep from the cup of life and lived the journey well, though too short. I imagine he would concur with the words of Christina Rosetti in her poem, ''Remember'':

''Remember me when I am gone away,
''Gone far away into the silent land;
''When you can no more hold me by the hand,
''Nor I half turn to go yet turning stay.
''Remember me when no more day by day.''

I would like to close my remarks by paying tribute to him on behalf of the F–16 fighter pilots of the 180th Tactical Fighter Squadron in our region, to their support staff, to all the members of the Ohio National Guard, to their families and all Buckeyes who truly revered this man's life.

Just about a month and a half ago, I wished off that unit with over 350 members of the Ohio National Guard to fly to Iraq to join their colleagues who have been based there for several months. I gave Kevin Sonnenberg a hug before he left, as I did to every F–16 pilot that left.

This F–16 unit is the best that America has. They rank at the top of every single measure that this Nation has. He was among the finest of the finest in our country. He gave his all to us. He did all he was asked to do. He died loving his family, his country and his God; and we love him and his family and his country and our God.

Mr. Speaker, it is fitting that we end this evening in tribute to the life of a great American airman.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.
Ms. WATERS, for 5 minutes, today.
Mr. HINCHEY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. SALI, for 5 minutes, today.
Mr. GOHMERT, for 5 minutes, today, and June 27 and June 28, 2007.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PEARCE and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $4,696.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1612. An act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Ms. KAPTUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 27, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2315. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure to Attain; State of Arizona, Phoenix Nonattainment Area; State of California, Owens Valley Nonattainment Area; Particulate Matter of 10 Microns or Less [EPA-R09-OAR-2007-0091, FRL-8322-5] received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2316. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of Youngstown, Ohio to Attainment of the 8-Hour Ozone Standard [EPA-R05-OAR-2006-1022; FRL 8324-9] received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2317. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [EPA-R07-RCRA-2006-0923; FRL-8322-6] received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2318. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Removal of Vacated Elements [EPA-HQ-OAR-2001-0004; FRL-8324-6] (RIN: 2060-AN92) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2319. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Phase 2 of the Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard-Notice of Reconsideration [EPA-HQ-OAR-2003-0079, FRL-8324-3] (RIN: 2060-AO00) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2320. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands [Docket No. 070213033-7033-01] (RIN: 0648-XA45) received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2321. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Restrictions for 2007 Purse Seine and Longline Fisheries in the Eastern Tropical Pacific Ocean [Docket No. 070215036-7107-02; I.D. 012307A] (RIN: 0648-AU79) received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBEY: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2008 (Rept. 110–212). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH of Vermont: Committee on Rules. House Resolution 517. Resolution providing for consideration of the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–213). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. MCCARTHY of New York (for herself, Mr. GEORGE MILLER of California, Ms. MATSUI, Mr. HINOJOSA, and Mr. PLATTS):

H.R. 2857. A bill to reauthorize and reform the national service laws; to the Committee on Education and Labor.

By Mr. TERRY:

H.R. 2858. A bill to promote the production and use of ethanol; to the Committee on Energy and Commerce, and in addition to the Committees on Science and Technology, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. HINCHEY, and Ms. SCHWARTZ):

H.R. 2859. A bill to assist States in making voluntary high quality full-day prekindergarten programs available and economically affordable for the families of all children for at least 1 year preceding kindergarten; to the Committee on Education and Labor.

By Mr. POMEROY (for himself, Mr. WALDEN of Oregon, Mr. STUPAK, Mrs. EMERSON, Mr. THOMPSON of California, Mr. MORAN of Kansas, Mr. KIND, Mr. PETERSON of Pennsylvania, Mr. ALLEN, Mr. BERRY, Mr. CAMP of Michigan, Ms. HERSETH SANDLIN, Mr. MCINTYRE, Mr. TANNER, Mr. BISHOP of Georgia, Mr. BOSWELL, Mr. BOYD of Florida, Mr. BOUCHER, Mrs. BOYDA of Kansas, Mr. BRALEY of Iowa, Mr. CARNEY, Mr. DAVIS of Alabama, Mr. EDWARDS, Mr. ETHERIDGE, Mr. GILCHREST, Mr. GRAVES, Mr. HARE, Mr. HASTINGS of Washington, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. JONES of North Carolina, Mr. KANJORSKI, Mr. LAHOOD, Mr. LUCAS, Mr. MATHESON, Mr. MCHUGH, Mrs. MCMORRIS RODGERS, Mr. MCNULTY, Mr. MELANCON, Mr. OBERSTAR, Mr. PAUL, Mr. PICKERING, Mr. RAHALL, Mr. REHBERG, Mr. RENZI, Mr. SALAZAR, Mr. SIMPSON, Mr. TIAHRT, Mr. WELCH of Vermont, Mr. WILSON of Ohio, Mr. YOUNG of Alaska, Mr. THORNBERRY, and Mr. ROSS):

H.R. 2860. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 2861. A bill to forgive certain loan repayments of teachers of limited English proficiency students, to direct the Commissioner of the National Center for Educational Statistics to study educational achievement performance measures of limited English proficiency children, and for other purposes; to the Committee on Education and Labor.

By Mr. CASTLE (for himself and Mr. MCKEON):

H.R. 2862. A bill to amend the Elementary and Secondary Education Act of 1965 to establish an accurate and reliable graduation rate for measuring student academic achievement; to the Committee on Education and Labor.

By Mr. DEFAZIO:

H.R. 2863. A bill to authorize the Coquille Indian Tribe of the State of Oregon to convey land and interests in land owned by the Tribe; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself and Mr. EHLERS):

H.R. 2864. A bill to amend the provisions of the Elementary and Secondary Education Act of 1965 regarding school library media specialists, and for other purposes; to the Committee on Education and Labor.

By Mrs. MALONEY of New York (for herself, Ms. ROS-LEHTINEN, and Mr. LANTOS):

H.R. 2865. A bill to award a Congressional Gold Medal to Rabbi Arthur Schneier in recognition of his pioneering role in promoting religious freedom and human rights throughout the world, for close to half a century; to the Committee on Financial Services.

By Mrs. MALONEY of New York:

H.R. 2866. A bill to suspend temporarily the duty on stick and golf umbrellas; to the Committee on Ways and Means.

By Mr. MCHENRY:

H.R. 2867. A bill to authorize the Secretary of Energy to establish a program for making prizes for advanced or transformational technologies for the production, consumption, and distribution of nonpetroleum-based alternative energy and energy efficiency; to the Committee on Science and Technology.

By Mr. MEEKS of New York (for himself, Mr. FOSSELLA, Mr. TOWNS, Mr. KING of New York, Mr. DAVIS of Illinois, Mr. CLAY, and Mrs. MALONEY of New York):

H.R. 2868. A bill to eliminate the exemption from State regulation for certain securities designated by national securities exchanges; to the Committee on Financial Services.

By Mr. PITTS:

H.R. 2869. A bill to establish a pilot program of Central Asian scholarships for undergraduate and graduate level public policy internships in the United States; to the Committee on Foreign Affairs.

By Mr. TOWNS:

H.R. 2870. A bill to amend titles XIX and XXI of the Social Security Act to ensure payment under Medicaid and the State Children's Health Insurance Program (SCHIP) for covered items and services furnished by school-based health clinics; to the Committee on Energy and Commerce.

By Mr. UDALL of New Mexico (for himself, Mr. GUTIERREZ, Mr. ELLISON, and Ms. SCHAKOWSKY):

H.R. 2871. A bill to amend the Truth in Lending Act and the Federal Deposit Insurance Act to prohibit payday loans based on checks drawn on, or authorized withdrawals from, depository institutions and to prohibit insured depository institutions from making payday loans, and for other purposes; to the Committee on Financial Services.

By Ms. WATERS:

H.R. 2872. A bill to prohibit the Secretary of Transportation from approving under subtitle VII of title 49, United States Code, any project for the relocation of Runway 24R at Los Angeles International Airport, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WELDON of Florida (for himself, Mr. WEXLER, Mr. YOUNG of Florida, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, Mr. LINCOLN DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. MILLER of Florida, Mr. FEENEY, Mr. CRENSHAW, and Mr. BILIRAKIS):

H.R. 2873. A bill to amend the Internal Revenue Code of 1986 to exempt disaster relief distributions from retirement plans from the penalty for early withdrawal; to the Committee on Ways and Means.

By Mr. LATHAM (for himself, Mr. BOSWELL, Mr. KING of Iowa, Mr. BRALEY of Iowa, and Mr. LOEBSACK):

H. Con. Res. 175. Concurrent resolution expressing the sense of Congress that courts with fiduciary responsibility for a child of a deceased member of the Armed Forces who receives a death gratuity payment under section 1477 of title 10, United States Code, should take into consideration the expression of clear intent of the member regarding the distribution of funds on behalf of the child; to the Committee on the Judiciary.

By Mr. MEEKS of New York (for himself and Mr. SESSIONS):

H. Res. 518. A resolution recognizing the 50th anniversary of Malaysia's independence; to the Committee on Foreign Affairs.

By Mr. REYES (for himself, Mr. BRADY of Pennsylvania, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. HINOJOSA, Mr. ORTIZ, Mr. RODRIGUEZ, Ms. LORETTA SANCHEZ of California, Mr. SNYDER, Mr. LARSEN of Washington, Mr. LOBIONDO, Mr. JOHNSON of Georgia, Mr. AL GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. THORNBERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDALL of Colorado, Mr. BUTTERFIELD, Mr. PEARCE, Mrs. TAUSCHER, Mr. BOREN, Mr. DOGGETT, Ms. SCHAKOWSKY, Mr. MORAN of Virginia, Ms. WATERS, Mr. PRICE of North Carolina, Mr. DICKS, Mr. HALL of Texas, Mr. CALVERT, Mr. SMITH of New Jersey, Mr. ROGERS of Michigan, Mr. ROGERS of Kentucky, Mr. WILSON of South Carolina, Mr. HAYES, Mr. CLYBURN, Mr. MEEHAN, Mr. SKELTON, Mr. SPRATT, Mr. RANGEL, Mr. COSTELLO, Mr. TAYLOR, Mr. ABERCROMBIE, Mr. MCDERMOTT, Ms. KAPTUR, Ms. DEGETTE, Ms. HOOLEY, Mr. THOMPSON of Mississippi, Mrs. LOWEY, Mr. BARTLETT of Maryland, Mr. BACA, Mr. BECERRA, Mr. PASTOR, Mr. PATRICK MURPHY of Pennsylvania, Mr. WATT, Mr. BISHOP of Georgia, Mr. LEVIN, Mr. RUPPERSBERGER, Mr. CRAMER, Mr. MANZULLO, Ms. GIFFORDS, Mrs. BOYDA of Kansas, Mr. UDALL of New Mexico, Mr. MCHUGH, Mr. BRALEY of Iowa, Mr. LANGEVIN, Ms. LINDA T. SÁNCHEZ of California, Mr. SMITH of Texas, Mr. DUNCAN, Mr. MILLER of Florida, and Mr. JONES of North Carolina):

H. Res. 519. A resolution honoring the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth.; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

87. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 76 memorializing the Congress of the United States to provide resources to address the colony collapse disorder affecting honeybees; to the Committee on Agriculture.

88. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Memorial No. 07-005 memorializing the Congress of the United States to pass the federal ''Gestational Diabetes Act of 2006''; to the Committee on Energy and Commerce.

89. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial No. 1506 urging the Congress of the United States to timely reauthorize the State Children's Health Insurance Program to assure federal funding for the Florida Kidcare program; to the Committee on Energy and Commerce.

90. Also, a memorial of the Legislature of the State of Maine, relative to H.P. 1348 memorializing the Congress of the United States and the Federal Communications Commission to forego imposing a cap on federal universal service fund support for Maine's rural wireless carriers; to the Committee on Energy and Commerce.

91. Also, a memorial of the Legislature of the State of Maine, relative to H.P. 1346 memorializing the President of the United States and the Congress of the United States to fully appropriate the money for radioactive waste management; to the Committee on Energy and Commerce.

92. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial No. 1698 urging the Congress of the United States to engage the international community to take action in the effort to bring a just and lasting peace to the people of Darfur; to the Committee on Foreign Affairs.

93. Also, a memorial of the Legislature of the State of Oregon, relative to Senate Joint Memorial No. 3 urging the Congress of the United States to encourage the formation of democratic institutions, multiparty participation, progressive social change and respect for human rights in Ethiopia; to the Committee on Foreign Affairs.

94. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 15 urging the President of the United States and the Congress of the United States to continue to support the participation of the Republic of China on Taiwan in the World Health Organization; to the Committee on Foreign Affairs.

95. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 18 urging the Congress of the United States to support a proposed off-highway vehicle park in Clark County; to the Committee on Natural Resources.

96. Also, a memorial of the Legislature of the State of Nevada, relative to Assembly Joint Resolution No. 7 urging the Secretary of the Department of the Interior to fully fund the interagency airtanker base programs for wildland fire suppression in Battle Mountain, Minden and Stead; to the Committee on Natural Resources.

97. Also, a memorial of the Legislature of the State of Nevada, relative to Assembly Joint Resolution No. 9 urging the Congress of the United States to allow certain proceeds from the Southern Nevada Public Land Management Act of 1998 to be used for Nevada's state parks; to the Committee on Natural Resources.

98. Also, a memorial of the Legislature of the State of Montana, relative to House Joint Resolution No. 38 urging the Congress of the United States to call a convention pursuant to the terms of Article V of the Constitution of the United States for proposing one or more amendments to the Constitution; to the Committee on the Judiciary.

99. Also, a memorial of the Legislature of the State of Nevada, relative to Assembly Joint Resolution No. 6 urging the Congress of the United States to repeal the REAL ID Act of 2005; to the Committee on the Judiciary.

100. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial No. 2770 urging the Congress of the United States to fully authorize the conditionally approved projects in section 601 of the Water Resources Development Act of 2000 and the Indian River Lagoon and Picayune Strand projects in the Comprehensive Everglades Restoration Plan and to provide funding for the federal share of the full and equal partnership; to the Committee on Transportation and Infrastructure.

101. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 25 memorializing the Congress of the United States and the Internal Revenue Service to take such actions as are necessary to prevent the taxation of rebuilding grants from the state's Road Home program; to the Committee on Ways and Means.

102. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 16 urging the President of the United States and the Congress of the United States to support a free trade agreement between the Republic of China on Taiwan and the United States; to the Committee on Ways and Means.

103. Also, a memorial of the Legislature of the State of Nevada, relative to Assembly Joint Resolution No. 10 urging the Congress of the United States to reevaluate the ''fast track'' approval of international trade agreements; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 89: Mr. PETERSON of Minnesota.
H.R. 174: Ms. MCCOLLUM of Minnesota.
H.R. 176: Ms. BORDALLO.
H.R. 303: Mr. PETERSON of Minnesota.
H.R. 354: Mr. HARE.
H.R. 369: Mr. HALL of New York.
H.R. 405: Mr. ELLISON.
H.R. 503: Mr. MITCHELL, Ms. MOORE of Wisconsin, and Mr. BARRETT of South Carolina.
H.R. 524: Mrs. LOWEY.
H.R. 615: Mr. NUNES.
H.R. 616: Mr. NUNES.
H.R. 623: Mr. MCNULTY and Mr. ABERCROMBIE.
H.R. 624: Mr. SERRANO, Ms. CARSON, Mr. ISRAEL, Mr. HINCHEY, Mr. MEEKS of New York, and Mr. FARR.
H.R. 654: Ms. LINDA T. SÁNCHEZ of California, Mr. ABERCROMBIE, and Mr. ETHERIDGE.
H.R. 676: Mr. JEFFERSON.
H.R. 726: Mr. HIGGINS.
H.R. 734: Mrs. BOYDA of Kansas.

H.R. 743: Mr. CUMMINGS, Mr. PICKERING, Mr. EHLERS, Mr. FEENEY, Mr. PITTS, and Mr. ROHRABACHER.
H.R. 822: Mr. RODRIGUEZ.
H.R. 887: Mr. HARE.
H.R. 891: Mr. HOLT.
H.R. 969: Mr. DELAHUNT.
H.R. 980: Mr. CRAMER and Mr. NADLER.
H.R. 997: Mr. FRANKS of Arizona.
H.R. 1023: Mrs. BLACKBURN, Mr. FEENEY, Mr. RAHALL, Mr. KLEIN of Florida, Mr. BUTTERFIELD, Ms. CASTOR, Ms. GRANGER, Mr. PEARCE, Mr. CRAMER, Mr. CLEAVER, Mr. BISHOP of Utah, Mr. MORAN of Kansas, Mr. CARNEY, and Mr. ARCURI.
H.R. 1026: Mr. CONAWAY and Mr. ALEXANDER.
H.R. 1038: Mr. ELLISON.
H.R. 1064: Mrs. CAPITO, Mr. SAXTON, and Mr. MEEHAN.
H.R. 1069: Mr. BILBRAY.
H.R. 1078: Mr. RODRIGUEZ.
H.R. 1093: Mr. PUTNAM.
H.R. 1110: Mr. PETERSON of Minnesota.
H.R. 1120: Mr. BRADY of Texas, Mr. CAMPBELL of California, Mr. TOM DAVIS of Virginia, Mr. FERGUSON, and Mr. SMITH of New Jersey.
H.R. 1134: Mr. WESTMORELAND.
H.R. 1142: Mr. TIM MURPHY of Pennsylvania, Ms. ESHOO, Mr. ANDREWS, Mr. DICKS, Mr. TOWNS, and Mrs. WILSON of New Mexico.
H.R. 1153: Mr. PRICE of Georgia.
H.R. 1188: Mr. KING of New York.
H.R. 1228: Mr. SCOTT of Georgia.
H.R. 1230: Mr. MCGOVERN.
H.R. 1232: Mr. ALLEN, Mr. LATHAM, and Mr. MCHUGH.
H.R. 1268: Mr. CAPUANO.
H.R. 1307: Mr. PRICE of Georgia.
H.R. 1310: Mr. MCNULTY.
H.R. 1338: Mr. HOYER, Mr. ROSS, Mr. MEEK of Florida, Mr. STUPAK, Mr. SCOTT of Virginia, Mr. MATHESON, Mr. INSLEE, Mr. KUCINICH, Ms. MOORE of Wisconsin, Ms. HARMAN, Mr. DAVIS of Alabama, Mr. CLEAVER, Mr. KANJORSKI, Mr. HODES, Mr. HIGGINS, and Mr. BLUMENAUER.
H.R. 1379: Mrs. CHRISTENSEN.
H.R. 1415: Mr. HODES, Mr. DOYLE, Ms. MATSUI, and Mr. DOGGETT.
H.R. 1416: Mr. KUCINICH, Mr. DOYLE, and Mr. DOGGETT.
H.R. 1418: Ms. NORTON.
H.R. 1430: Mr. POE and Mr. STEARNS.
H.R. 1458: Mr. LEWIS of Kentucky.
H.R. 1459: Mr. SERRANO, Mr. ARCURI, Mr. DAVIS of Illinois, and Mr. SALAZAR.
H.R. 1464: Mr. KING of New York and Ms. WOOLSEY.
H.R. 1474: Mr. BACHUS, Mr. MCNERNEY, Mr. FORTENBERRY, Mr. PUTNAM, Mr. WESTMORELAND, Mrs. MILLER of Michigan, Mr. PITTS, and Mr. THORNBERRY.
H.R. 1498: Mr. PASTOR.
H.R. 1514: Mr. WELCH of Vermont.
H.R. 1524: Mr. BOUCHER, Mr. BRADY of Pennsylvania, and Mr. YARMUTH.
H.R. 1540: Ms. MCCOLLUM of Minnesota.
H.R. 1567: Mrs. LOWEY.
H.R. 1582: Mr. BILBRAY.
H.R. 1586: Mrs. WILSON of New Mexico.
H.R. 1596: Mr. MCCOTTER.
H.R. 1647: Mr. BERMAN.
H.R. 1671: Mr. BLUMENAUER, Mr. SARBANES, and Ms. KAPTUR.
H.R. 1687: Mr. BAIRD.
H.R. 1727: Ms. LEE, Mr. HINCHEY, and Mr. LYNCH.
H.R. 1759: Mr. SNYDER.
H.R. 1774: Mr. CARTER, Mr. DAVIS of Kentucky, Mr. HOEKSTRA, and Mr. RAHALL.
H.R. 1781: Mr. COHEN and Mr. LAMPSON.
H.R. 1814: Mr. TERRY.
H.R. 1818: Mr. TIAHRT and Mr. LATHAM.
H.R. 1823: Mr. DAVID DAVIS of Tennessee.
H.R. 1838: Mr. PRICE of Georgia.
H.R. 1845: Ms. ROS-LEHTINEN, Mr. FILNER, and Mr. ENGLISH of Pennsylvania.
H.R. 1849: Mr. SCOTT of Georgia.
H.R. 1852: Mr. WYNN.
H.R. 1869: Mr. LAHOOD, Ms. GINNY BROWN-WAITE of Florida, and Mr. HARE.
H.R. 1927: Mr. PAUL and Mr. LEWIS of Georgia.
H.R. 1929: Mr. LAMPSON.
H.R. 1932: Mr. BRADY of Pennsylvania and Mr. LEWIS of Kentucky.
H.R. 1971: Mr. DOYLE, Mr. SCOTT of Georgia, Mr. MEEKS of New York, and Mr. ORTIZ.
H.R. 1975: Mr. HODES, Mr. COHEN, and Mrs. LOWEY.
H.R. 2003: Mr. BURTON of Indiana and Mr. DELAHUNT.
H.R. 2005: Mr. HINCHEY.
H.R. 2015: Mr. UDALL of New Mexico, Mrs. GILLIBRAND, Mr. STARK, and Mr. COURTNEY.
H.R. 2017: Ms. CARSON.
H.R. 2040: Mr. MORAN of Virginia, Ms. BALDWIN, Ms. MATSUI, and Ms. WOOLSEY.
H.R. 2050: Mr. PICKERING, Mr. GORDON, and Ms. BERKLEY.
H.R. 2060: Mr. BRADY of Pennsylvania.
H.R. 2066: Mr. RAMSTAD.
H.R. 2075: Mr. BAKER, Mr. PRICE of North Carolina, and Mr. CHABOT.
H.R. 2104: Mr. MILLER of Florida and Mr. PENCE.
H.R. 2108: Mr. SCHIFF, Mr. PRICE of North Carolina, and Mr. HOLT.
H.R. 2111: Mr. DAVIS of Illinois, Mr. ARCURI, and Ms. CARSON.
H.R. 2126: Mr. ELLISON.
H.R. 2158: Mr. LEWIS of Kentucky.
H.R. 2161: Mr. RANGEL.
H.R. 2164: Mr. THORNBERRY.
H.R. 2167: Mr. HODES.
H.R. 2183: Mr. CONAWAY, Mr. CHABOT, Mr. HAYES, Mr. LINCOLN DAVIS of Tennessee, Mr. KUHL of New York, and Mr. HALL of Texas.
H.R. 2189: Mr. CAPUANO.
H.R. 2223: Mr. LEWIS of Kentucky.
H.R. 2231: Mr. PRICE of North Carolina.
H.R. 2234: Mr. HIGGINS, Mr. BERRY, Mr. ELLISON, Mr. MCCAUL of Texas, Ms. SCHAKOWSKY, Mr. LAMPSON, and Ms. BORDALLO.
H.R. 2290: Mr. ENGEL.
H.R. 2293: Mr. SHERMAN.
H.R. 2295: Mrs. EMERSON.
H.R. 2303: Mr. BUCHANAN and Mr. POE.
H.R. 2327: Mr. CONYERS.
H.R. 2352: Ms. CARSON.
H.R. 2364: Mr. ELLISON and Mr. WELCH of Vermont.
H.R. 2384: Mr. CARNAHAN and Ms. CARSON.
H.R. 2405: Mr. PASTOR and Mr. GRIJALVA.
H.R. 2417: Mr. LEWIS of Georgia.
H.R. 2443: Mr. PATRICK MURPHY of Pennsylvania and Mr. THORNBERRY.
H.R. 2449: Mr. FILNER.
H.R. 2452: Mrs. LOWEY and Mr. WAXMAN.
H.R. 2468: Mr. DOOLITTLE.
H.R. 2484: Mr. HERGER.
H.R. 2495: Mr. DAVID DAVIS of Tennessee.
H.R. 2503: Mrs. CAPPS.
H.R. 2508: Mr. CAMPBELL of California and Mr. ALEXANDER.
H.R. 2514: Mr. ARCURI, Mr. SHERMAN, and Mr. CARNAHAN.
H.R. 2538: Mr. LARSON of Connecticut.
H.R. 2547: Mr. GILLMOR.
H.R. 2549: Mr. HERGER.
H.R. 2581: Mrs. CAPPS, Mr. MCDERMOTT, Ms. MATSUI, and Mr. WILSON of Ohio.
H.R. 2591: Mr. LAMPSON and Mr. ARCURI.
H.R. 2634: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Ms. SCHAKOWSKY, Mr. MCNULTY, Mr. RANGEL, Ms. CARSON, Mr. MORAN of Virginia, and Mr. MCGOVERN.
H.R. 2668: Ms. LEE and Mr. MEEK of Florida.
H.R. 2674: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2677: Mr. DELAHUNT and Mrs. CAPPS.
H.R. 2706: Mr. MILLER of Florida, Mr. GARRETT of New Jersey, Mr. SHADEGG, and Ms. ROS-LEHTINEN.
H.R. 2708: Ms. SCHAKOWSKY, Mr. MCNULTY, Ms. KAPTUR, Mr. MCDERMOTT, Mr. SNYDER, and Ms. ROS-LEHTINEN.
H.R. 2712: Mr. BARRETT of South Carolina.
H.R. 2715: Mr. WAXMAN.
H.R. 2720: Mr. MORAN of Virginia, Mr. REYES, and Mr. WYNN.
H.R. 2723: Ms. SCHAKOWSKY.
H.R. 2727: Mr. MILLER of Florida, Mr. GOHMERT, and Mrs. CUBIN.
H.R. 2740: Mr. HALL of New York, Mr. GRIJALVA, Mr. MCGOVERN, and Mr. STARK.
H.R. 2744: Mr. FILNER, Mr. MITCHELL, Mr. ISRAEL, Ms. LINDA T. SÁNCHEZ of California, and Mr. DEFAZIO.
H.R. 2762: Ms. HERSETH SANDLIN, Mr. RANGEL, Mr. WAXMAN, Mr. WU, and Mr. GORDON.
H.R. 2778: Mr. SERRANO and Mr. MCNULTY.
H.R. 2798: Mr. LANTOS, Ms. ROS-LEHTINEN, and Mr. PAYNE.
H.R. 2803: Ms. MOORE of Wisconsin.
H.R. 2819: Mr. BERRY, Mrs. MALONEY of New York, Ms. KILPATRICK, and Ms. SCHAKOWSKY.
H.R. 2827: Mr. BOSWELL.
H.R. 2831: Mr. BRALEY of Iowa.
H. Con. Res. 27: Mr. DEAL of Georgia and Mr. LEWIS of Georgia.
H. Con. Res. 89: Mr. STARK.
H. Con. Res. 91: Ms. MCCOLLUM of Minnesota.
H. Con. Res. 104: Mr. MCGOVERN.
H. Con. Res. 108: Mr. WATT.
H. Con. Res. 131: Mr. PRICE of Georgia.
H. Con. Res. 136: Mr. INGLIS of South Carolina.
H. Con. Res. 140: Ms. HIRONO.
H. Con. Res. 162: Mr. MCDERMOTT.
H. Con. Res. 169: Ms. SOLIS, Mr. TOWNS, Mr. NADLER, Ms. CARSON, Ms. KILPATRICK, Mr. WATT, Mr. MEEKS of New York, Mr. WAXMAN, and Mr. ENGEL.
H. Res. 106: Mr. KINGSTON, Mr. MARSHALL, Mr. DAVIS of Alabama, Mr. RODRIGUEZ, Mr. SERRANO, Mr. CUELLAR, and Mr. WICKER.
H. Res. 111: Mr. PRICE of Georgia.
H. Res. 121: Mr. HIGGINS, Mr. PASCRELL, and Ms. ROS-LEHTINEN.
H. Res. 128: Mr. CROWLEY.
H. Res. 208: Mr. REICHERT and Mr. SHERMAN.
H. Res. 241: Mr. GONZALEZ, Mr. AL GREEN of Texas, and Mr. PRICE of North Carolina.
H. Res. 282: Mr. PRICE of North Carolina, Mr. MAHONEY of Florida, and Mr. PETERSON of Minnesota.
H. Res. 426: Mr. SHERMAN.
H. Res. 449: Mr. PETERSON of Minnesota.
H. Res. 482: Mr. CAMPBELL of California, Mr. SHERMAN, and Mr. MCCOTTER.
H. Res. 489: Mr. PAYNE and Mr. FATTAH.
H. Res. 497: Mr. HOLT, Mr. UDALL of Colorado, and Mr. WOLF.
H. Res. 500: Mr. BERMAN, Mr. FALEOMAVAEGA, Mr. ENGEL, Mr. MILLER of North Carolina, Mr. SMITH of New Jersey, Mr. GALLEGLY, Mr. BILIRAKIS, Mr. FORTENBERRY, Ms. WATSON, Mr. ACKERMAN, Mr. DREIER, Mr. ROSKAM, Mr. GRAVES, Mr. BOOZMAN, Mr. PENCE, Mr. THOMPSON of Mississippi, Mr. COBLE, and Mr. LAHOOD.
H. Res. 501: Mr. CONAWAY and Mr. GONZALEZ.
H. Res. 504: Mr. DUNCAN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2643

OFFERED BY: MR. FEENEY

AMENDMENT NO. 222: Page 108, beginning on line 9, strike section 414.

H.R. 2643

OFFERED BY: MR. GINGREY

AMENDMENT NO. 223: Strike page 56, lines 1 through 23.

H.R. 2643

OFFERED BY: MR. GINGREY

AMENDMENT NO. 224: Strike page 56, lines 24, through page 57, line 11.

H.R. 2643

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 225: Page 18, line 23, insert ''(increased by $100,000,000)'' after the first dollar amount.

Page 58, line 3 insert ''(reduced by $49,500,000)'' after the dollar amount.

Page 59, line 3 insert ''(reduced by $49,500,000)'' after the dollar amount.

Page 66, line 23, insert ''(reduced by $1,000,000)'' after the dollar amount.

H.R. 2643

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 226: Page 111, after line 17, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. No funds made available in Act shall be used by the Environmental Protection Agency to run computer model WinTR–55.

H.R. 2643

OFFERED BY: MR. LAMBORN

AMENDMENT NO. 227: None of the funds in this Act may be used for the National Endowment for the Arts.

H.R. 2643

OFFERED BY: MR. STEARNS

AMENDMENT NO. 228: Page 2, line 15, insert (increased by $2,600,000) after the dollar amount.

Page 93, line 11, insert (reduced by $2,600,000) after the dollar amount.

H.R. 2643

OFFERED BY: MR. STEARNS

AMENDMENT NO. 229: Page 96, line 14, insert ''(reduced by $31,588,000)'' after the dollar amount.

H.R. 2829

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 3: At the end of title VI, insert the following:

SEC. ____. None of the funds made available under this Act may be used by the Securities and Exchange Commission to enforce the requirements of section 404 of the Sarbanes-Oxley Act with respect to non-accelerated filers, who, pursuant to section 210.2–02T of title 17, Code of Federal Regulations, are not required to comply with such section 404 prior to December 15, 2007.

H.R. 2829

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 4: Page 65, line 17, insert after the first dollar amount ''(reduced by $14,295,000)''.

H.R. 2829

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 5: Page 65, line 17, insert after the first dollar amount ''(reduced by $5,000,000)''.

Page 65, line 25, insert after the first dollar amount ''(increased by $5,000,000)''.

H.R. 2829

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

H.R. 2829

OFFERED BY: MR. TOM DAVIS OF VIRGINIA

AMENDMENT NO. 7: Page 48, line 15, insert after the dollar amount the following: ''(increased by $1,000,000)''.

Page 48, line 17, insert after the dollar amount the following: ''(increased by $334,000)''.

Page 48, line 19, insert after the dollar amount the following: ''(increased by $333,000)''.

Page 48, line 22, insert after the dollar amount the following: ''(increased by $333,000)''.

Page 78, line 19, insert after the dollar amount the following: ''(reduced by $1,000,000)''.

H.R. 2829

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 8: Page 80, line 23, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 81, line 10, after the dollar amount, insert ''(increased by $10,000,000)''.

H.R. 2829

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 9: At the end of the bill (before the short title), add the following new title:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds appropriated or otherwise made available by this Act may be used by the Selective Service System to prepare for, plan, or execute the Area Office Mobilization Prototype Exercise.

H.R. 2829

OFFERED BY: MR. ELLSWORTH

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. ____901. None of the funds appropriated in this Act may be used to enter into a contract in an amount greater than the simplified acquisition threshold unless the prospective contractor certifies in writing to the agency awarding the contract that the contractor owes no Federal tax debt. For purposes of the preceding sentence, the certification requirement of part 52.209–5 of the Federal Acquisition Regulation shall also include a requirement for a certification by a prospective contractor of whether, within the three-year period preceding the offer for the contract, the prospective contractor—

(1) has or has not been convicted of or had a civil judgment rendered against the contractor for violating any tax law or failing to pay any tax;

(2) has or has not been notified of any delinquent taxes for which the liability remains unsatisfied; or

(3) has or has not received a notice of a tax lien filed against the contractor for which the liability remains unsatisfied or for which the lien has not been released.

H.R. 2829

OFFERED BY: MR. HULSHOF OF MISSOURI

AMENDMENT NO. 11: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. The amounts otherwise provided by this Act are revised by reducing the amount made available under ''Election Reform Programs'' for election assistance grants and by increasing the amount made available for ''Federal Drug Control Programs, High Intensity Drug Trafficking Areas Programs'' by $8,000,000.

H.R. 2829

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 12: Page 146, after line 22, insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used to implement any pay adjustment under section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)).

H.R. 2829

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO 13: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISION

SEC. 901. Each amount appropriated or otherwise made available by this Act (including Federal funds contained in titles IV and VIII) that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 0.5 percent.

H.R. 2829

OFFERED BY: MR. WOLF

AMENDMENT NO. 14: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. (a) There is hereby enacted into law H.R. 473 of the 110th Congress, as introduced in the House of Representatives on January 16, 2007, and appropriated for the Commission thereby established, $1,500,000.

(b) The amount otherwise provided in this Act for ''**INDEPEDENT AGENCIES**—ELECTION ASSISTANCE—ELECTION REFORM PROGRAMS'' (for the amount specified under such heading for programs under the Help America Vote Act of 2002) is hereby reduced by $1,500,000.

H.R. 2829

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 15: Strike section 738 (page 117, line 9, through page 124, line 13) and redesignate the succeeding provisions accordingly.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for Detroit Renaissance for a business district.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 17: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Fairplex Trade and Conference Center, Pomona, California.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Grace Johnstown Area Regional Industries Incubator and Workforce Development program.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Mitchell County

Development Foundation, Inc. for the Home of the Perfect Christmas Tree project.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 20: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Oil Region Alliance of Business, Industry and Tourism.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the San Francisco Planning and Urban Research Association, SPUR Urban Center.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 22: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the West Virginia University Research Corporation for renovations of a small business incubator.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Youngstown Warren Regional Chamber, Salute to Success, Business Entrepreneurship Incubator.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the City of Charlotte, NC, Belvedere Business Park Project.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 25: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the City of Los Angeles, Adams-La Brea Retail Project.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 26: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Historic Downtown Retail Project, Valley Economic Development Center.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 27: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for SEKTDA [SE KY Tourism Development Association] for economic and small business development.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Advantage West Economic Development Group, Certified Entrepreneurial Community Program.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Boston Chinatown Neighborhood Center Workforce Development Initiative.

H.R. 2829

OFFERED BY: MR. FLAKE

AMENDMENT NO. 30: Page 48, line 4, insert after the dollar amount the following: ''(reduced by $500,000)''.

H.R. 2829

OFFERED BY MR. JORDAN

AMENDMENT NO. 31: At the end of bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. Each amount appropriated or otherwise made available by this Act (including titles IV and VIII) that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 8.9 percent.

H.R. 2829

OFFERED BY: MR. GOODE

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the Federal funds made available in title IV or VIII may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, section 32–701 et seq.).

H.R. 2829

OFFERED BY: MR. GOODE

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the Federal funds made available in title IV or VIII may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, section 32–701 et seq.).

H.R. 2829

OFFERED BY: MR. LUCAS

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used by the United States Government to seize or otherwise take possession of, other than for value given in a sale or exchange, any coin, medal or numismatic item made or issued by the United States Government before January 1, 1933, that, as of the date of the enactment of this Act, is not already in the possession of the United States Government.

H.R. 2829

OFFERED BY: MR. POE

AMENDMENT NO. 35: Page 33, line 11, insert after the dollar figure the following: ''(increased by $10,000,000)''.

Page 41, line 10, insert after the dollar figure the following: ''(reduced by $10,000,000)''.

H.R. 2829

OFFERED BY: MR. TERRY

AMENDMENT NO. 36: Page 129, after line 21, insert the following:

SEC. 744. For purposes of the provisions of law amended by subparagraph (B) of section 704(a)(2) of the Ethics Reform Act of 1989 (5 U.S.C. 5318 note), relating to compensation of Members of Congress, no adjustment under section 5303 of title 5, United States Code, shall be considered to have taken effect in fiscal year 2008 in the rates of basic pay for the statutory pay systems.

Page 129, line 22, strike ''744'' and insert ''745''.