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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 19, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, 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 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

HONORING HEALTH CARE PROFESSIONALS WHO PROVIDE HOSPICE CARE

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

Mr. BLUMENAUER. Mr. Speaker, today on Capitol Hill there are hundreds of nurses, chaplains and social workers, the people who deliver hospice care at the bedside, here to promote an honest discussion and careful analysis of how to help individuals and their families grapple with the final chapter of life. It may be the hardest issue in health care, and the fear that it invokes can be a powerful weapon.

For most of us, the majority of health care we receive in our lifetime will be administered in those last few months. It's when we need the most doctors and nursing care, medical procedures and oftentimes in hospitals.

But we know from scientific studies that when patients are educated about their treatment options, they make decisions that are not only aligned with their personal preferences, but shared decision-making relieves stress and anxiety. Ironically, sometimes getting less intensive help, like in a hospice, not only improves the quality of life, these patients, many of them actually live longer.

From a public policy perspective, it's perverse that Medicare will pay for almost any medical procedure, yet not reimburse doctors to have a thoughtful conversation to prepare patients and their families for the delicate, complex, and emotionally demanding decisions surrounding the end of life.

That's why I sought to direct Medicare, in the Affordable Care Act, to cover a voluntary discussion with the doctor about living wills, power of attorney, and end-of-life preferences. Helping patients and their families clarify what they want and need should be an element of any rational, comprehensive health care system.

Despite our recent history, it's also a rare common denominator in health care politics because it's something that most people actually agree on. In fact, the majority of my Republican colleagues supported a similar provision for terminally ill elderly patients that was part of the 2003 prescription drug bill.

I had a friend of mine, a Republican cardiovascular surgeon here in the House, who told me he had many end-of-life conversations; but, unfortunately, they were often too late. He wished he could have spoken to patients and their families when they could have properly reflected, not just when the surgery was merely hours away.

During the early debates on the Affordable Care Act, I was confident that this was an area where we were making a contribution to improve the quality of health care, but it actually might be something that would bring us together because of the shared agreement. But, unfortunately, battle lines were drawn; and you know how the rest of that story went: death panels, rationing, forced consultation with government-appointed physicians.

In war, truth is the first casualty. The same goes for politics. As a country, we have a difficult time talking rationally and thoughtfully about end-of-life issues. That's why it's so important that we have these dedicated people on Capitol Hill today—the nurses, the hospice workers, the social workers—to have this thoughtful conversation from people who do it every day. Their work to help patients and families can help Congress understand that the work is not finished.

I urge my colleagues to take a look at the Personalize Your Health Care Act, H.R. 1589. Join me in making sure that the Federal Government is a better partner in helping families prepare for this difficult chapter.

HONORING THE LIFE OF SERGEANT TOM BAGOSY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, today, a number of us are rising to commemorate an individual out of the now more than 2,000 who have lost their lives during Operation Enduring Freedom. I would like to submit, for the RECORD, 11 names of brave servicemembers who were recently killed in Afghanistan.

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Today, I would like to recognize a man in particular who is not counted in the 2,000. Sergeant Tom Bagosy, a combat veteran of Iraq and Afghanistan, took his own life on May 10, 2010, at Camp Lejeune marine base in North Carolina. Tom's wounds were mental, but he is no less a casualty of the war in Afghanistan.

That Tom is not counted in this 2,000 number speaks to the fact that our country does not fully understand the effect that a generation of war has had on those who've fought it. We do not understand the future cost of caring for over 300,000 returning veterans with mental wounds.

Tom's death, like those of the 154 Active Duty servicemembers who took their lives at a rate of one per day this year, was preventable.

Tom left behind a wife, Katie, and two children. Today, Katie is working towards becoming a mental health counselor so she can support the thousands of veterans coming home today with mental wounds. We should be inspired by her efforts.

Mr. Speaker, I want to share with the House a letter that Katie wrote to her husband, Tom, who had died in May. And she wrote this letter August 23 of 2011. These are her words:

> I wonder what life would be like if you didn't die that day. I wonder what we would be doing right now in this very moment instead. I hate playing the ''what if'' game, but I'm playing it anyway right now.
>
> I could really use a hug and kiss from you. I love the way you kiss me. I wish your arms were around me right now. Guess wishing is all I can do.
>
> Love always, Katie.

Mr. Speaker, it's time now that our Congress stands up and says let's bring our troops home now; let's start the process. If we brought them home now, it would still take months, maybe even years. But 2014 is the date that the President says we'll start bringing them home.

Then, there's also going to be a security agreement with Afghanistan; 10 years, spending about $4 billion a month.

We need to be spending that money to take care of our wounded, both physically and mentally, veterans. We need to start spending that money here in America to build our streets and roads and bridges.

Mr. Speaker, it is time that the Congress does its job based on the Constitution. We have the authority based on the Constitution.

I don't know how many—this poster of Sergeant Bagosy and his wife, Katie, how many, how many are coming back from Afghanistan, and those who came back from Iraq, that are mentally wounded. It's time that this Congress starts thinking about the wounded and thinks about the families who lost loved ones in Afghanistan and Iraq. Let's not cheat them out of their benefits because we want to spend money in Afghanistan that we can't even account for by the Inspector General.

Mr. Speaker, I will, at this time, ask God to please bless our men and women in uniform, to please bless the families of our men and women in uniform.

I ask God, in His loving arms, to hold the families who've given a child dying for freedom in Afghanistan and Iraq.

I ask God to bless the House and Senate, that we will do what is right in the eyes of God for God's people today.

I ask God to bless the President of the United States that he will do what is right in the eyes of God for God's people today and tomorrow.

And three times I will ask God, please, God, please, God, please, God, continue to bless America.

RECENT U.S. SERVICE MEMBER DEATHS

Spc. Kedith L. Jacobs
Pfc. Leroy Deronde III
Staff Sgt. Alexander G. Povilaitis
Staff Sgt. Roberto Loeza
Petty Officer 2nd Class Sean E. Brazas
Cpl. Nicholas H. Olivas
Lance Cpl. Steven G. Sutton
Capt. John R. Brainard
Chief Warrant Officer Five John C. Pratt
Spc. Tofiga J. Tautolo
Spc. Vilmar Galarza Hernandez

□ 1010

STAFFORD STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, unless Congress acts in the next 11 days, the interest rates for the subsidized Stafford student loan program are going to increase from 3.4 percent to 6.8 percent. This is at a time when student loan debt now has topped the $1 trillion number, which is according to the Federal Reserve Bank.

This is a program which will provide relief for over 7 million college students who literally today are already trying to budget for next fall's semester at colleges and universities—at 2-year colleges, at 4-year colleges. Yet this Congress left for 10 days, up until yesterday, for another recess—the ninth recess this year. This number, 11 days until the rate-hike increase, should probably be 6 days because that's all the number of days that the Speaker has scheduled between now and July 1.

How did we get to this point?

In 2007, when the Democrats controlled the Congress, we voted for the College Class Reduction Act, with Republican support, which cut the rate for the subsidized Stafford student loan program from 6.8 percent to 3.4 percent. That has helped over 15 million college kids over the last 5 years. It was a sunset measure, like many other bills that pass in this Congress; and last July 25, on that podium, President Obama challenged this Congress to avoid allowing that rate to double on July 1.

For 3 solid months, we had absolutely no action in this Congress—no hearings, no markup, no bill. Luckily, external pressure was exercised on this Chamber. We had 130,000 college students drop off petition signatures to the Speaker, demanding action. Finally, the Speaker rushed a bill to the floor, without a hearing, without a markup—a totally hyper-partisan bill—that did delay the rate hike for 1 year, yet was paid for with a measure that was so unacceptable: cutting programs and funding for cervical cancer screening, diabetes screening, cardiac screening. It was a measure which was dead on arrival, but at least it was some response. It was at least a flicker of acknowledgment that there was a real problem out there for middle class families around the country.

Now, on January 5, when the President announced his challenge to the Congress, I introduced legislation before midnight that night which would have locked in the lower rate at 3.4 percent. We have 152 cosponsors in the House for that measure, and in the Senate there is a back-and-forth going on right now about a 1-year extension. So, again, there actually are some hopeful signs. Leader REID, HARRY REID, introduced a measure with a pay-for, which was not greeted with immediate criticism and denunciation, so there is actually a chance that between now and July 1 we can come together and do our jobs and actually be here to work on the people's business and to make sure that, again, 7 million college kids don't see their interest rates spike at a time when student loan debt has shattered all records.

The stakes could not be higher. U.S. graduation rates now have fallen to 12th in the world. We were No. 1 in the 1980s. There are a variety of reasons which explain that, but certainly the high cost of college is one of those reasons. We are seeing now an alarming trend of individuals who take on debt to go to college and then never get their degrees. Debt without a degree is almost a death sentence—a lifetime of struggling in terms of trying to get ahead. We as the Congress have the responsibility to make sure that that doesn't happen or at least that we don't add to the problem by allowing these rate hikes to go into effect on July 1.

Mr. Speaker, if you look historically at the Stafford student loan program, if you look historically at the Pell Grant program, if you look historically at the Land Grant College program instituted by President Abraham Lincoln, this is an issue on which we have always been able to put aside partisanship and move forward together in order to make sure that the real crown jewels of our country, which are our people—particularly our young people—are always protected. That test is now before us over the next 11 days.

Let's do the right thing; let's work together; let's compromise; let's come up with a plan to protect 7 million college kids, and for once send a signal to the people of this country that we are listening and that we are actually responding to the critical needs that face this Nation's future.

AN EMPEROR INSTEAD OF A PRESIDENT?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, our Nation's income tax system is a giant mess. It's complicated; it's not fair; it's outdated—and not everyone follows the law.

Hypothetically, suppose tomorrow, the President issued an edict from the White House directing the IRS not to enforce tax laws for certain special people, for example, people under the age of 30.

Why? Maybe the President just doesn't like the law, so he issues that new order. Well, Mr. Speaker, last Friday, much to the surprise of all of us who believe in the Constitution and in the separation of power, something very similar did happen.

In his latest Friday afternoon surprise, the President issued a decree unilaterally discarding the immigration law of the land—a law passed by Congress and signed by a previous President. The President disagrees with the law; and since he had to have his way, in spite of the Constitution, he improperly ordered his way to be the law of the land. The President's temporary amnesty plan applies to those who are under 30 years of age. They also can obtain a work permit.

It would be nice if the President were as concerned about the 23 million Americans who are looking for work in America as he is about the 12 million undocumented individuals the President claims are looking for work in America. News reports even show 50 percent of new American college graduates can't even find work.

Mr. Speaker, here is the chart we all probably saw in ninth grade civics classes: a bill is filed in the House. If the House of Representatives debates it and passes the bill, it goes down the hallway to the Senate, and they discuss it and vote on the bill. If they pass the bill, it becomes the law if the President signs it.

We call that ''the law of the land.''

But the President, it seems, has ignored most of this and has just issued new orders from the White House to not pay any attention to the Senate or to the House of Representatives.

Mr. Speaker, like most of us learned in ninth grade civics classes, it is Congress' job to write laws and the President's job to execute the laws. That means: enforce the law. It doesn't mean he is supposed to ignore laws and then issue his own policies like kings used to do with their policies. He is to follow the law whether he likes it or not. Once upon a time, the President even claimed to believe in the Constitution.

Here is what he said last year:

> With respect to the notion that I can just suspend deportations through executive order, that's just not the case, because there are laws on the books that Congress has passed.

But that was a year ago. That was then and this is now. If the President doesn't like a law, he believes he can ignore it and come up with his own set of rules.

Our Founders envisioned a country in which freedom was protected from government and was limited from the policies of kings. You see, old King George III of England constantly decreed new laws without the consent of the people. That was one of the reasons we rebelled against the merry ole King of England and his monarchy and his policies. Our ancestors structured the American Government in the Constitution. The last time I checked, it was Congress that makes laws and the job of the executive branch to enforce laws, not to ignore the ones it doesn't like.

The immigration system needs fixing. Congress should do its job and fix the problem. In the meantime, the President should do his job, not ours, and he should enforce the law. Otherwise, we have lawlessness in America.

The President says he can use prosecutorial discretion not to enforce immigration law. Mr. Speaker, the President is wrong again. I dealt with prosecutorial discretion as a former prosecutor and a judge. Prosecutorial discretion is when a prosecutor does not prosecute a specific case because the accused is innocent or there is insufficient evidence or witnesses have disappeared or the government has violated the rights of the accused, et cetera. Prosecutorial discretion cannot be used to ignore a specific law because the government just doesn't like the law.

It is true, through no fault of their own, that young undocumented individuals are here as a result of decades of a failed broken immigration system, but the President has no interest in fixing what is broken. He is more concerned with picking up a few votes to further his reelection. The law gets in the way, so his policies look like they come from an emperor instead of a President.

So what new orders will be issued next week from the President and the White House? Is he going to ignore the Tax Code for some in the name of prosecutorial discretion? I guess it depends on what political forces push the President to new orders and decrees.

We shall see.

Stay tuned for another day in the life of the Republic. It's time for the former constitutional professor to follow the Constitution, not to make up his own rules during his on-the-job training.

And that's just the way it is.

□ 1020

HELPING OUR CHILDREN ACROSS THIS NATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, I've had the pleasure of chairing the Congressional Children's Caucus for a number of years, having founded it almost a decade ago.

I'm delighted to have, as part of our agenda, a number of issues dealing with mentoring, nutrition, obesity, issues dealing with now a phenomena that is raging across our Nation, bullying, and introduced legislation just 6 months ago and now revised legislation that deals with renewing the Juvenile Accountability Block Grant, as well as providing intervention on these issues.

I'm looking forward to bipartisan support because, as we've seen statistics across America, children as young as pre-K and kindergarten now can interpret actions as bullying. We need to give help and relief to school districts and parents and families, and most of all, a public statement that that action is intolerable and that we want our children to go to schools and playgrounds and places that they will find comfort and enjoyment as a child.

That brings me also to my commitment to science, technology, engineering, and math. I was very pleased to be involved in a program that provided opportunity for sixth and seventh grade boys at risk. It gave them math and science in the morning with what we called the SMART board, and then in the afternoon they played with college football players and learned the skills of football with various sports leagues. Of course, we had the corporate support.

So I raised the question to my good friend, the company Halliburton, and asked for their CEO, who was supportive of this program last summer, to recognize the value of science, technology, engineering, and math, and respond to the needs of these inner-city boys in Houston, the place where the company is located with so many employees. I'm reminded of going to give comfort to many of their employees when KBR was owned by Halliburton and they had tragically lost employees in Iraq. It was my chance to go and respond to that crisis and to give my sympathy. That's the way we are as neighbors, but they are not acting neighborly now. And there are a number of boys, the same kind of children that I see that come here to Washington all the time. Of course, these at-risk boys have probably never been out of the city of Houston, but they are in school districts across the city. Isn't it a shame that we can't get a response, with all the great employees that I know care about the city, to be able to support these children? I ask for the CEO to respond to these at-risk boys. I'll certainly be looking forward to engaging and making sure that that happens. It's very important.

I understand that there has been some question about an executive order that deals with helping children again across this Nation, children who have come to the United States not of their own accord, who were brought by their parents and have been here since the age of 16 and have attempted, like

many children that I see, to do the right thing, to get a high school diploma, to be in the United States service, to get a GED that happened to have come and they're unstatused.

This issue has been before the Congress for 11 years. In fact, there was an effort passed by the House that moved to the Senate, as was instructed, and the Senate refused to move forward on something called the DREAM Act. If you look at all of our cases and our caseload in our respective districts, particularly those of us in the Southwest, there are tons of cases that have come in that will bring tears to your eyes, children being deported away from their families or families being separated.

Let me disabuse you of the notion that this is not done under the law. There is a regulatory scheme under the Homeland Security Department that allows discretionary determination about deportation or whether or not someone should go into deportation. These are children. The President did the right thing by having an executive order that utilized the powers by the Secretary of Homeland Security under the Code of Federal Regulations to be able to use that discretion. It's the right thing to do.

Congress, it's not too late, my colleagues, Republicans and Democrats, to come forward and support the DREAM Act that has been introduced over and over again, that had bipartisan support. In fact, it's not too late to help the farmers, to help the high-tech industry, and pass comprehensive immigration reform. Who are we, other than Americans, who are humanitarians, who are empathetic, who love the values of this Nation and believe in opportunity?

I don't want people to be equating the loss of jobs with allowing a few children to be able to be saved from deportation, whether they come from South and Central America, they come from Ireland, they come from Italy, they come from the continent of Africa, the Caribbean. It is time to be the Nation that we know we are, which is lifting up people, giving opportunity. This is the greatest country in the world, and I look forward to corporations responding to at-risk boys, Mr. Speaker, and, as well, that we recognize the importance of helping children wherever they are.

THE WHITE HOUSE DECREE IS BAD FOR AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS. Mr. Speaker, last week, the White House decreed partial amnesty for an estimated 3 million illegal aliens and mandated acceptance of illegal alien work permit applications. The White House decree is bad for America.

First, Mr. Speaker, it is unconscionable for the White House to pit unemployed Americans against illegal aliens in a competition for scarce jobs. In 2009, the Pew Hispanic Center found that 7.8 million struggling American families have already lost job opportunities to illegal aliens. America suffers an 8.2 percent unemployment rate. Even worse, Hispanic Americans suffer an 11 percent unemployment rate. Even worse, African Americans suffer a 14 percent unemployment rate. Even worse, American teenagers suffer a 25 percent unemployment rate. All are hammered by a White House decree that grants as many as 3 million illegal aliens work permits.

I understand heartfelt compassion for illegal aliens, but where is the compassion for millions of Americans who are unemployed and suffering from jobs lost to illegal aliens? Where is the compassion for American taxpayers who must pay higher taxes to support millions of extra unemployed?

Second, the White House decree grants amnesty to illegal aliens. Webster's defines ''amnesty'' as ''the act of an authority, as a government, by which pardon is granted to a large group of individuals.'' Further, ''pardon'' is defined as ''a release from the legal penalties of an offense.''

A penalty for breaking America's immigration laws is not lawfully getting a job. The White House releases illegal aliens from this penalty; hence, the White House grants amnesty. While the amnesty is admittedly partial, it is amnesty nonetheless.

Third, Mr. Speaker, the 1980s amnesty taught foreigners that America won't enforce its immigration laws. The result is over 10 million illegal aliens in America and an immigration mess that is destructive to America. A 2011 Federation of Americans for Immigration Reform study found that illegal aliens cost American taxpayers a net loss of $99 billion a year. Illegal aliens overcrowd our schools and need costly English interpreters. In 2011, illegal aliens drove up America's K–12 education costs by $49 billion per year. Illegal aliens overcrowd our emergency rooms, delay treatment for Americans, and drive up health care costs. Illegal aliens commit crimes, sometimes heinous, against American citizens and burden taxpayers with higher jail costs. In my home county, more Madison Countians have been killed by illegal aliens than have lost their lives in Iraq and Afghanistan combined.

Mr. Speaker, amnesty did not solve America's illegal alien problem in the 1980s, nor will it today. Those who do not learn from history are doomed to repeat it. Mr. Speaker, America must never again give blanket amnesty to illegal aliens.

Fourth, Mr. Speaker, the White House decree is of questionable constitutionality. The Constitution states, and I quote article I, section 1, ''all legislative powers herein granted shall be vested in a Congress of the United States,'' and ''the Congress shall have the power . . . to establish a uniform rule of naturalization.'' The Constitution does not empower a President to make law. Hence, the only change to immigration law is as our Constitution demands, through Congress, not by imperial decree.

Mr. Speaker, in 2011, when it was not an election year, President Obama agreed. On March 28, 2011, the President stated:

> With respect to the notion that I can just suspend deportations through executive order, that's just not the case because there are laws on the books that Congress has passed. The executive branch's job is to enforce and implement those laws. For me to simply, through executive order, ignore those congressional mandates would not conform with my appropriate role as President.

Last September the President again stated:

> I just have to continue to say this notion that somehow I can just change the laws unilaterally is just not true. The fact of the matter is there are laws on the books that I have to enforce. And I think there's been a great disservice done to the cause of the DREAM Act that somehow, by myself, I can go and do these things. It's just not true.

Mr. Speaker, the President's own words speak volumes about the constitutionality of a White House decree that undermines America and the rule of law.

□ 1030

EXTENSION OF RENEWABLE ENERGY TAX INCENTIVES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, this Congress' failure to extend renewable energy tax credits is already costing my home State, the Commonwealth of Virginia, jobs. As CBS News reported last month, Virginia is losing a wind turbine development to Spain because the United States doesn't have the right policies and tax incentives in place for renewable energy development. A spokesperson for the wind energy company Gamesa said that the uncertainty over the future of those tax credits for wind energy and the lack of Federal energy policy caused the company to invest in Spain instead of Virginia. The jobs to construct and maintain that turbine will be Spanish, not American.

The so-called Strategic Energy Production Act, coming to the House floor this week, actually perpetuates the problem by doubling down on oil and gas to the detriment of developing new and renewable energy sources in America. Even the Republican Governor of Virginia said that the lack of a national energy policy was one of the reasons we aren't moving forward with this project in America. President Obama has called on Congress to pass a ''clean energy standard'' that would guarantee a market for wind, solar, and other clean domestic energy sources. That legislation has not received any consideration in this House.

The House Republican leadership won't even bring legislation to the floor to extend critical renewable tax credits for wind and solar energy. Republicans consider it anathema to even suggest that they reconsider special oil and gas company tax breaks in the face of record industry profits. Yet while the extension of renewable energy tax credits would encourage the development of an innovative industry that would support America's energy independence, they allow it to wither. In fact, House Republicans actually attacked the renewable energy sector through a number of different amendments to the Energy and Water appropriations bill earlier this month.

As part of the Recovery Act, Congress and the President extended production and investment tax credits for the production of wind and solar energy. As a result of those investments, wind energy electricity generation has grown by 40,000 megawatts in the last 2 years. Between 2007 and 2010, wind energy represented 35 percent of all new electricity generation in America. Solar energy production in America more than doubled in that time period.

Approximately 173,000 Americans work now in the wind and solar industries, with 70 percent growth in the number of wind energy jobs since 2007. What other industry can we point to that has seen that kind of significant job growth? In fact, the growth in renewable energy jobs has helped offset job losses in the coal industry, which has been declining for many years. As the Nation continues to recover, and as monthly job growth moderates, it is essential to support innovative American industries, such as wind and solar, with extensive growth potential.

Wind and solar electricity generation creates American jobs throughout the supply chain. For example, Micron is a semiconductor manufacturer in my district whose components are used in solar installations. The value of solar installations completed in 2011 was $8.4 billion. Thanks to Buy American provisions and other domestic manufacturing programs in the Recovery Act, we're increasing the share of wind energy components manufactured in America. Over 470 factories in the United States now build components for wind turbines. But as tax incentives expire, where will that future growth go?

In the global hunt for scarce resources, the renewable energy industry will not just be a job creator, though it will create jobs. It will also help support national security. If America is not at the forefront of this burgeoning field, then we will be left behind as global competitors seize that initiative.

Unfortunately, all of this economic growth is at risk as the Republican House leadership ignores renewable energy tax credit extensions. Failure to extend the production and investment tax credits for renewable energy will mean losing projects across the country. As our loss of a wind facility in Virginia demonstrates, Mr. Speaker, the failure to extend these tax credits in a timely manner already is hurting what would otherwise continue to be a growth industry.

YUCCA MOUNTAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I enjoyed listening to my Republican colleagues talk about the Constitution and how a bill becomes a law.

I taught freshman civics. And when a bill passes both Chambers, the bill then goes to the President. The President then signs a bill. It becomes a law. The job of the Chief Executive is to enforce the law, as signed and as passed.

Like the 1982 Nuclear Waste Policy Act, it is the law of the land. The amendments passed in 1987 identified Yucca Mountain as the sole geological repository for nuclear waste in this country. The problem is, it's not being enforced by the President, who is complicit with the majority leader in the Senate, Senator REID, in stopping the project.

So over the past year, I have been coming down to the floor and identifying where we're at on the status of what do we do with high-level nuclear waste. And I have gone through the whole country. I have identified all the Senators and where they stand. We actually have a majority of Senators—55 of them—who support high-level nuclear waste being stored at Yucca Mountain. We have 23 that either have made statements of ''no'' or 22 that we don't know their position. Can you imagine being a U.S. Senator on a very important position, never having to state your position on what to do with high-level nuclear waste or defense waste, especially if it's in your own State, and never being forced to come to a position.

Over the past year, we've been going around the country identifying all these locations. And now the time for truth has come, to really start narrowing down on individual States and Senators who should at least state their position.

So I return to my next-door neighbor State, the State of Missouri. I live in the St. Louis metropolitan area. I represent parts of 30 counties in southern Illinois. But I am very close to the State of Missouri. In fact, I root for the Cardinals, the Rams, the Blues. And if the University of Missouri's not playing the Fighting Illini, I'll root for the Missouri Tigers.

Missouri has a nuclear power plant called Callaway. And what I did months ago, I came down on the floor—these are old posters—and compared Callaway to Yucca Mountain. Right now, Callaway has 615 metric tons of uranium spent fuel on site; Yucca has none. Waste would be stored 1,000 feet underground; waste is being stored in pools above ground. Waste would be 1,000 feet from the water table; at Callaway, it's 65 feet above the groundwater. At Yucca, the waste would be 100 miles from the Colorado River; at Callaway, it's only 5 miles from the Missouri River.

So the State of Missouri needs an answer by their elected Members of what should they do, how should we handle the nuclear waste at Callaway? Well, Senator BLUNT has already stated his position that he supports moving nuclear waste to Yucca Mountain. In fact, in a floor vote just 2 weeks ago, eight of the nine Members of Congress—a bipartisan majority—said nuclear waste should be in Yucca Mountain, or at least we should finish the scientific study to see if it's feasible versus keeping it in Missouri. The Members of the House who voted in support of the Shimkus amendment were Representative AKIN, Representative CLAY, Representative CLEAVER, Representative EMERSON, Representative GRAVES, Representative HARTZLER, Representative LONG, and Representative LUETKEMEYER. Of course we know Senator BLUNT supports it.

Now we focus on Senator MCCASKILL. This is no surprise to her—I've talked to her personally about this—that there would be a time when eventually she needs to state, does she support high-level nuclear waste being stored in Missouri? Does she support a long-term geological storage underneath a mountain in a desert in Nevada?

□ 1040

If she would make a statement, we could then move her from the undecided to either a nay or a yea. And if a yea, that would bring us to 56. We're actually trying to see if we can get 60 United States Senators to say, Yeah, we support moving forward. We've only spent $15 billion, going back to 1982, to prepare, locate the site.

Yucca Mountain is not just a mountain on its own but it's at the nuclear test site. It's bigger than the State of Rhode Island, the Federal grounds. It's Federal property. And so we come down on the floor—and we'll be doing this in the following weeks—highlighting individual Senators who are either undecided, no commitment, no position on what should be the disposition of high-level nuclear waste in their State, where it should go, and at least get them on the record as far as this issue.

Again, this law was passed in 1982. The amendment passed identifying Yucca Mountain as the long-term geological repository was then signed in 1987. We would just ask the administration to follow the law.

2,000 DEATHS IN OPERATION ENDURING FREEDOM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, while the House was out of session last week, the Nation suffered its 2,000th fatality in the conflict known as Operation Enduring Freedom, the overwhelming number of those deaths coming in Afghanistan. For more than 10 years now, we've been losing young, courageous servicemembers on a mission that isn't bolstering our national security, isn't supported by the American people, but is costing us billions of dollars every month. What a disaster and what a tragedy.

Mr. Speaker, from this Chamber, I regularly hear Members of the majority invoking morality in support of efforts to cut effective programs that help the most vulnerable members of our society. So where is their moral outrage and where is their budget axe when it comes to the most expensive government program imaginable that has killed 2,000 of our troops?

Two of those 2,000 come from my part of the country, the Sixth Congressional District of California. Army Specialist Christopher Gathercole and Army Sergeant Ryan Connolly, both of Santa Rosa, California, were killed less than a month apart in the year 2008.

We had others who were killed during the nearly 9 years that our troops were in Iraq, but 2,000 deaths doesn't even begin to tell the story of the human cost of this war. More than 15,000 Americans have come home wounded, many in ways that will alter their lives forever. Even those who returned with their bodies intact often suffer from devastating posttraumatic stress that may never go away. Postdeployment suicide has reached epidemic levels.

Nearly 2.5 million men and women have served in Afghanistan and Iraq, and I actually can't say that I trust that the veterans health care system is prepared or will be prepared to deal with the huge demand that will be placed on the services in the coming years.

A recent report prepared by VA doctors outlines the unique and varied health care needs of returning Iraq and Afghanistan veterans. In addition to traumatic brain injuries, depression, and substance abuse, there's chronic muscle pain, sleep disturbances, hypertension, and complications from environmental exposures. Many of our returning heroes have difficulty readjusting to civilian life, integrating once again into their families, their workplaces, and their communities.

We had better be willing as a Nation to write that check for their care as we were for the war that damaged them in the first place.

And it's critical, Mr. Speaker, that we remember the human cost is not just here in the United States. Two thousand Americans have died in nearly 11 years of war. Well, 3,000 Afghan civilians, many of them children, were killed last year alone for the cause of their so-called liberation.

It's not enough to acknowledge the casualties of this war, to memorialize the dead and pay tribute to their service. What we need is an immediate change of policy. To extend the war through 2014 is to sentence hundreds more servicemembers to their deaths, all for a policy that isn't achieving its stated objectives while strengthening the very terrorists and extremists that we're trying to defeat.

There's only one solution, Mr. Speaker. There's only one choice that will finally keep the death toll from climbing. That choice is bring our troops home. Bring them home now.

WHEN WILL WE ATTACK SYRIA?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. PAUL) for 5 minutes.

Mr. PAUL. Plans, rumors, and war propaganda for attacking Syria and deposing Assad have been around for many months. This past week, however, it was reported that the Pentagon indeed was finalizing plans to do just that.

In my opinion, all the evidence to justify this attack is bogus. It is no more credible than the pretext given for the 2003 invasion of Iraq or for the 2011 attack on Libya.

The total waste of those wars should cause us to pause before this all-out effort at occupation and regime change is initiated against Syria. There are no national security concerns that require such a foolish escalation of violence in the Middle East. There should be no doubt that our security interests are best served by completely staying out of the internal strife now raging in Syria. We are already too much involved in supporting the forces within Syria anxious to overthrow their current government. Without outside interference, the strife, now characterized as a civil war, would likely be nonexistent.

Whether or not we attack yet another country, occupying it and setting up another regime that we hope we can control, poses a serious constitutional question: From where does a President get such authority?

Since World War II, the proper authority to go to war has been ignored. It has been replaced by international entities like the United Nations and NATO, or the President, himself, while ignoring the Congress. And sadly, the people don't object.

Our recent Presidents explicitly maintain that the authority to go to war is not the U.S. Congress'. This has been the case since the 1950s, when we were first taken into war in Korea under a UN resolution and without congressional approval. Once again, we are about to engage in military action against Syria, and at the same time irresponsibly reactivating the Cold War with Russia. We're now engaged in a game of ''chicken'' with Russia, which presents a much greater threat to our security than does Syria.

Would we tolerate Russia in Mexico demanding a humanitarian solution to the violence on the U.S.-Mexican border? We would consider that a legitimate concern for us. But for us to be engaged in Syria, where the Russians have a legal naval base, is equivalent to the Russians being in our backyard in Mexico.

We are hypocritical when we condemn Russia for protecting its neighborhood interests, as we claim we are doing the same ourselves thousands of miles from our shore. There's no benefit for us to be picking sides, secretly providing assistance and encouraging civil strife in an effort to effect regime change in Syria. Falsely charging the Russians with supplying military helicopters to Assad is an unnecessary provocation. Falsely blaming the Assad government for a so-called massacre perpetrated by a violent warring rebel faction is nothing more than war propaganda.

Most knowledgeable people now recognize that to plan war against Syria is merely the next step to take on the Iranian Government, something the neoconservatives openly admit. Controlling Iranian oil, just as we have done in Saudi Arabia and are attempting to do in Iraq, is the real goal of the neoconservatives who have been in charge of our foreign policy for the past couple of decades.

War is inevitable without a significant change in our foreign policy—and soon. Disagreements between our two political parties are minor.

□ 1050

Both agree that sequestration of any war funds must be canceled. Neither side wants to abandon our aggressive and growing presence in the Middle East and South Asia.

This crisis building can easily get out of control and become a much bigger war than just another routine occupation and regime change that the American people have grown to accept or ignore.

It's time the United States tried a policy of diplomacy, seeking peace, trade, and friendship. We must abandon our military effort to promote and secure an American empire.

Besides, we're broke. We can't afford it. And worst of all, we're fulfilling the strategy laid out by Osama bin Laden, whose goal had always been to bog us down in the Middle East and bring on our bankruptcy here at home.

It's time to bring our troops home and establish a noninterventionist foreign policy, which is the only road to peace and prosperity.

This week I'm introducing legislation to prohibit the administration, absent a declaration of war by Congress, from supporting—directly or indirectly—any military or paramilitary operations in Syria. I hope my colleagues will join me in this effort.

MOURNING 2,000TH DEATH OF OPERATION ENDURING FREEDOM

The SPEAKER pro tempore. The Chair recognizes the gentleman from

California (Mr. GARAMENDI) for 5 minutes.

Mr. GARAMENDI. Mr. Speaker, last Thursday, the 2,000th U.S. military servicemember was killed in Operation Enduring Freedom. I send my deepest sympathies to the families and loved ones of each individual who has been killed since this war began more than a decade ago. Those losses are a cause for sadness beyond what I can adequately convey in my words. Having just celebrated Father's Day with my daughters and son, I reflect on the fact that each fallen soldier was the child of some parent. Many were husbands and wives, and many were parents themselves.

We are a Nation at war. Yet the burden of this war has been primarily borne by a very few, by our military servicemembers and their families. Less than 1 percent of the United States population is in the armed services. Many Americans were not aware of last week's tragic milestone, or perhaps they may have glanced at the fatality count in their local paper and then they went about their daily events. This is a war that, for many, goes on in the background while most Americans carry on their daily lives.

It's imperative that we stop and think deeply about the human cost of this war. We must read the names of those who have been killed, look at their pictures, and imagine the grief of those who have been left behind. We must also think about those who have been wounded. Every day outside this Chamber, we see yet one more military man or woman who has lost a limb, who has been harmed. They are in our military hospitals now, their futures uncertain. We must think about those servicemembers whose lives have been so shattered by the experience of war that they cannot continue living. More servicemembers took their lives in this year than were killed in combat in Afghanistan. Only when we feel those losses can we fully comprehend the cost of this war.

Recently, this House passed its version of the National Defense Authorization Act that I opposed but the majority pushed forward, a bill that has no meaningful timeline for ending combat operations and bringing our troops home, no concrete plans for transitioning full responsibility for Afghanistan security to Afghan forces. Most Republican supporters of the National Defense Authorization Act would slow down the withdrawal of our troops. They would have American troops continue to fight against a domestic insurgency in Afghanistan, and they would have American troops fighting for the corrupt Karzai government.

As Members of Congress, we're responsible for authorizing the funds that sustain this war. If we believe this war should continue, we should say that this war is absolutely essential to our Nation's security. This war is not.

Can we look into the eyes of the mother or father of a serviceman who has been killed and say your child died for a mission that's absolutely essential to our Nation's security? I can't do that, and I believe most of us cannot. I believe it is time for the war in Afghanistan to come to an end. Our troops and their families have given enough. We should welcome them home as heroes, and we should ensure that they receive the support and care that is due when they return.

We sent our brave servicemen and -women to Afghanistan to eliminate international terrorist organizations that threaten the United States. As President Obama said last month, our goal is to destroy al Qaeda. Our troops have successfully executed this mission with phenomenal dedication and capacity. We have virtually eliminated al Qaeda from Afghanistan. No expert says that there's more than 100 there, and they have no meaningful operation. They have demonstrated that we can take terrorists out wherever they are in this world. We have captured and killed most all of al Qaeda's top commanders. One year ago, we celebrated the historic moment when Osama bin Laden, the 9/11 mastermind, was killed. He met his just end.

The cost of this war in blood and treasure has been staggering. Even those who have not given their lives have given of their lives. It's time for this war to end. The loyalty and dedication of our servicemembers, our most sacred resource, must be conserved. We must not squander it. End this war now.

Mr. Speaker, last Thursday, the 2,000th U.S. military service member was killed in Operation Enduring Freedom. I send my deepest sympathies to the families and loved ones of each of the individuals who have been killed since we began this war in Afghanistan more than a decade ago. These losses are a cause for sadness beyond what I can adequately convey in words. Having just celebrating Father's day with my daughters and son, I reflect on the fact that each fallen soldier was the child of some parent. Many were husbands and wives, and many were parents themselves.

We are a nation at war. Yet the burden of this war has been primarily borne by the few—by our military servicemembers and their families. Less than 1% of the U.S. population serves in the armed forces. Many Americans were not aware of last week's tragic milestone, or perhaps glanced at the fatality count in their local paper and continued with their day. This is a war that, for many, goes on in the background while they carry on with their daily lives.

It is imperative that we stop and think deeply about the human costs of this war. We must read the names of those who have been killed, look at their pictures, and imagine the grief of those they left behind. We must think also about those who have been wounded, who are right now in our military hospitals with uncertain futures. Every day outside this Chamber, we see yet one more soldier who has lost a limb. And we must think about those servicemembers whose lives were so shattered by the experiences of war that they could not continue living. More servicemembers took their own lives this year than were killed in combat in Afghanistan. Only when we feel these losses can we fully comprehend the costs of this war.

Recently, this House passed its version of the National Defense Authorization Act, which contains a provision inserted by the majority that would continue this war indefinitely. I opposed this bill. This majority bill has no meaningful timeline for ending combat operations and bringing our troops home. It has not concrete plans for quickly transitioning full responsibility for Afghanistan's security to Afghan forces. The majority has pushed to slow down the withdrawal of U.S. forces. They would have American troops continue fighting against a domestic insurgency in Afghanistan and striving to defeat those armed factions that threaten the corrupt Karzai government.

As Members of Congress, we are responsible for authorizing the funds that would sustain this war. If we believe this war should continue, we affirm that this war is essential to our national security. It is not. We should be able to look into the eyes of a mother or father of a service member has been killed and say, "Your child died in a war that is absolutely necessary to keep our country safe." I cannot do that, and I believe most of us cannot. It is time for the war in Afghanistan to come to an end. Our troops and their families have given enough. We should welcome them back as heroes and ensure that they receive the support and care that is their due when they return.

We sent our brave service men and women to Afghanistan to eliminate those international terrorist organizations that threatened the United States. As President Obama stated very clearly last month, "Our goal is to destroy Al Qaeda." Our troops have successfully executed this mission with phenomenal dedication and capacity. They have virtually eliminated Al Qaeda from Afghanistan, as our intelligence experts report that fewer than 100 Al Qaeda operatives remain in the country. They have demolished terrorist training camps, and captured or killed most of Al Qaeda's top commanders. One year ago we all celebrated the historic moment when Osama Bin Laden, the 9/11 mastermind who bears responsibility for the death of thousands of innocent American civilians, met his just end.

The costs of this war, in blood and treasure, have been staggering. Even those who have not given their lives have given of their lives, missing time with loved ones at home while they serve our country abroad. The loyalty and dedication of our military servicemembers is America's most sacred resource, and we must not squander it. They have achieved the core national security objectives for which they were sent to Afghanistan. It is now time for our troops to come home to their families.

COMMEMORATING LEVITTOWN'S 60TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor and commemorate the 60th anniversary of Levittown, Pennsylvania, which is the place that I have called home my entire life.

Located in historic Bucks County, Pennsylvania, construction of Levittown began in 1952 and was completed in 1958. One of the first planned communities built in the United States, it became a popular first home for thousands of returning veterans from World War II and Korea.

Over the course of its rich history, Levittown has developed into a model middle class community. Now it is home to over 50,000 residents with schools, churches, and businesses that help create a sense of community and foster a warm environment for families to live and to work, to raise their families and to retire to.

Levittown's residents have worked in our steel mills, built our communities, and served in our military, all while raising their children and their grandchildren. It was a pleasure growing up in such a close-knit, hard-working community. I'm proud to say that I'm from Levittown, raising my own family there.

The highest honor of all is being given the chance to serve Levittown in the United States Congress. I will continue to listen to and work with members of my community to ensure that all of their voices are heard. Congratulations to all who have called Levittown home over the last 60 years. With such a rich history, Levittown deserves our recognition and praise. I'm honored to live amongst these great families and wish them all the best on this momentous occasion.

HAPPY 100TH BIRTHDAY TO ROBERT GRAY SHIPLEY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to wish a well-deserved happy 100th birthday to a pillar of Watauga County, Mr. Robert Gray Shipley, Sr. Mr. Shipley was born in Valle Crucis, North Carolina, on June 23, 1912. Growing up on his parents' farm, Mr. Shipley's aptitude for agriculture and ranching was evident from a young age.

□ 1100

He put that skill to use, working his way through college, milking cows, judging livestock competitions, and maintaining records in Virginia Polytechnic Institute's dairy department.

Mr. Shipley began teaching upon his graduation from Virginia Tech in 1933, and aside from the time he spent in the United States Air Force as a gunnery instructor on B–24 bombers; teaching agriculture in an innovative and hands-on manner is what he did for most of his professional life. In fact, Mr. Shipley counts among his many students my husband, Tom.

Today, if you take a trip down to Watauga County, evidence of Mr. Shipley's involvement in the community is everywhere. He helped organize the Watauga County Hereford Association, he taught sheep sheering at 4–H clubs, and he ran the Cove Creek Horse Show for two decades. He's a member of the North Carolina State Fair Hall of Fame, the Western North Carolina Agricultural Hall of Fame, and the North Carolina Livestock Hall of Fame. He's a charter member of the Boone Rotary Club and is a mainstay in the Cove Creek Ruritan Club, working faithfully at every monthly fish fry.

Throughout his busy life, Mr. Shipley has had a wonderful partner, his wife of nearly 70 years, Agnes. Together, they are the proud parents of three children, grandparents to six, and great-grandparents to nine. This weekend, friends and former students of the Shipleys will be gathering at the historic Cove Creek High School in Sugar Grove to celebrate Mr. Shipley's 100th birthday and Mrs. Shipley's 95th birthday.

I speak for the community when I express gratitude for the lives of the Shipleys and for their being the wonderful role models that they are.

RECESS

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

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of this assembly to be the best and most faithful servants of the people they serve. Purify their intentions that they will say what they believe and act consistent with their words.

Help them, indeed help us all, to be honest with themselves, so that they will not only be concerned with how their words and deeds are weighed by others, but also with how their words and deeds affect the lives of those in need and those who look to them for support, help, strength, and leadership.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from Vermont (Mr. WELCH) come forward and lead the House in the Pledge of Allegiance.

Mr. WELCH 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

NEW POLICY IS OUT OF TOUCH WITH AMERICAN FAMILIES

(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, last Friday, the President revealed a new policy that promotes illegal aliens who are in our country from deportation. This shifts jobs from lawful Americans to illegal aliens. As a former immigration attorney myself, we welcome legal immigrants. In 2009 and 2010, Congress refused to pass legislation giving amnesty to the same individuals included under the President's new policy. Not only is this decision a Presidential abuse of power, it also shows this administration is out of touch with American families who are suffering from lack of jobs.

Instead of encouraging policies aimed to help our law-abiding citizens find jobs, the President believes that he should reward those who have broken laws by granting them work permits. At a time of record unemployment, I urge the President and the liberal-controlled Senate to take up the dozens of bipartisan bills that have passed the House to help American families find jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

DELPHI SALARIED RETIREES

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

Ms. HOCHUL. Imagine you got up every day of your adult life working for the same company, helping build the American auto industry. You worked hard, but you're proud because you're part of something bigger than just collecting a paycheck—you're part of rebuilding the economic engine that gave us the middle class. You counted on a pension, life insurance, and health insurance when you retired, because that's what you were promised. You

thought you lived the American Dream—until one day that dream turned into a nightmare.

That's what happened when GM spun off Delphi Corporation in 1999 and later filed for bankruptcy, and over 20,000 salaried employees were left out to dry. Family finances were ruined all across this country, including the cities of Lockport and Rochester in my district. This must be corrected. That's why I'm delighted to see the reemergence of GM as a global powerhouse.

But we cannot forget these individuals. I've called on this administration for their help. I've not received an adequate response from the Department of Labor and the Department of Treasury. And I call on the President to take up the cause of these retirees because they need our help. Their promises are broken, and it's our responsibility to help them at this time.

FARMERS DESERVE CERTAINTY

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

Mr. HULTGREN. Madam Speaker, successful agriculture is vital for America and for my home State of Illinois to thrive in the future. The farmers in my district in northern Illinois are saying that they can do without direct payments as long as there is some protection from catastrophe. That's why I'm looking forward to supporting a broad plan for strong, reliable, and affordable crop insurance when we take up the farm bill next week.

A successful farm bill must have strong protection from uncontrollable risks for our Nation's agriculture sector. Farmers take large risks every year to acquire the seed, feed, and supplies they will need for the season. Crop insurance gives them the certainty to take these risks, knowing that they will be protected from conditions beyond their control.

We have an opportunity to empower farmers by giving them choices and the ability to tailor protection to their needs while also asking that they share the risk so the taxpayer isn't picking up the whole tab.

IT'S TIME TO EXTEND THE STUDENT LOAN RATE

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

Mr. WELCH. Madam Speaker, in 11 days, the interest rates on the Stafford student loans will double from 3.4 percent to 6.8 percent. It's unthinkable that Congress would allow this to happen. But here we are, only 11 days from the deadline, and no closer to a solution than we were months ago. This is one of those only-in-Washington situations. Nearly everyone agrees that we can't let these rates double. Doing so will be a real blow to the middle class and those trying to climb their way into the middle class. It would be bad for the economy, and it makes no practical sense. The Federal Government is borrowing at 1.6 percent. Yet Congress has been unable to extend the lower rate, and it is now only 11 days away.

Take Jessie from Norwich, who will be affected. Despite significant financial support from scholarships and her family, she's graduating from nursing school with over $150,000 in student loan debt. At age 26, Jessie worries that she'll not be able to start a family or put a down payment on a home because of this staggering debt. She worries that if interest rates increase, a bad situation will be even worse.

Madam Speaker, we have 11 days. It's time to get this done.

CHINA'S ONE-CHILD POLICY

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

Mr. PITTS. Madam Speaker, last week, I received an extremely disturbing report about China's one-child policy from China's central Shaanxi province. Feng Jianmei was 7 months pregnant and home alone when she was abducted by government family planning officials. She was taken to a hospital and bound while her child was administered a powerful poison. After she gave birth to her dead child, without the aid of painkillers, the baby was then left beside her on the hospital bed, as shown in this picture. Her husband is a common worker, who has no recourse for the crime that has been perpetrated on his wife and child. Family planning officials in Shaanxi took this gruesome step in order to meet their quotas under China's brutal one-child policy. This is further evidence that government officials routinely take extreme measures to enforce China's barbaric one-child policy.

It's a human rights issue. It's far past time that the Chinese government stop this terrible repression and end the destruction of lives. I call on Secretary Clinton to condemn this policy in the strongest terms.

LET'S PASS A TRANSPORTATION BILL

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

Mr. WALZ of Minnesota. The American public deserves better. They deserve more from their Congress. The sacrifices that so many millions of Americans have given, whether it's in military service or service to this Nation, to allow us to stand here and self-govern ourselves needs to be repaid with maybe the words of Daniel Webster above us up there: Let's do something great in our time. The differences this Nation has is what makes us strong—differences of opinion. But compromise and common purpose is the glue that hold us together.

If there's anything that we can agree upon, it's that this Nation should have a world-class transportation system to move people and goods in an efficient, effective manner. And we're sitting here not passing a transportation bill. We have never had this problem in this Congress. The last five transportation bills have passed with an average of 375 bipartisan votes. We have a bill that passed the Senate 100 days ago that passed with a 74–22 vote. I'm not sure they can agree it's Tuesday in the Senate, and they compromised on a transportation bill.

I urge my colleagues here, either get the compromise done this week or bring the Senate bill forward and let us vote up or down to put America back to work and do something great in our time.

□ 1210

UTILITY MACT AND PJM AUCTION

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, President Obama's regulatory war on coal is having an effect. In the 2015–2016 capacity auction by regional transmission organization PJM Interconnection, the market clearing price for the mid-Atlantic area was $167 per megawatt. And for northern Ohio, it was $357 per megawatt. The average over the last 8 years has been $89.

Andy Ott at PJM Interconnection said:

> Capacity prices were higher than last year's because of retirements of existing coal-fired generation resulting largely from environmental regulations which go into effect in 2015.

A study published in 2010 by the Edison Electric Institute identified seven different new regulations that will raise the cost of electrical generation by 2017. The costs are huge. The EPA's estimate of costs for its utility MACT regulation alone is $9.6 billion per year starting in 2015.

The House of Representatives has taken action to prevent the imposition of new regulatory burdens in the midst of this fragile economic recovery, but the Senate has yet to follow that lead. Madam Speaker, prices are climbing, and Americans will suffer.

2,000 AMERICAN FATALITIES IN OPERATION ENDURING FREEDOM

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

Mr. MCGOVERN. Madam Speaker, last Thursday, June 14, marked the 2,000th American fatality in Operation Enduring Freedom. Today, that number is now 2,004 OEF fatalities, of which 1,887 happened in Afghanistan. Suicide rates by our veterans are now

one every day. This is the human cost of war. It is heartbreaking. Forty-three hail from Massachusetts, including eight from my district. These are not just statistics. They were living, breathing men and women in uniform.

At this solemn moment, I would like to send my condolences to the families of:

Army Private Brian Moquin, Jr., 19 years old, Worcester; Army Master Sergeant Shawn Simmons, 39, Ashland; Army Major Brian Mescall, 33, Hopkinton; Marine Captain Kyle Van De Giesen, 29, North Attleboro; U.S. Air National Guard Sergeant Robert Barrett, 21, Fall River; Army Specialist Scott Andrews, 21, Fall River; U.S. Army National Guard Private 1st Class Ethan Goncalo, 21, Fall River; and Air Force Major David Brodeur, 34, Auburn.

You are not forgotten.

REBUILDING OUR NATION'S INFRASTRUCTURE

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

Mr. ALTMIRE. Madam Speaker, we all agree that rebuilding our Nation's infrastructure is the best way to create jobs today and ensure long-term economic growth tomorrow. Our failure to pass a long-term, fully funded transportation authorization has undermined our competitiveness as a Nation, overburdened our local and State governments, and hurt American businesses.

It prevents the State and local governments in every single one of our districts from funding repairs to their bridges, roads, and railways. It leaves our infrastructure crumbling. And it discourages businesses from creating construction and manufacturing jobs that American workers could be filling today.

Madam Speaker, I urge the transportation conference committee to finalize their work before the current authorization expires at the end of next week. We owe it to the American people to get this done.

LOOK TO THE GREEN ECONOMY

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

Ms. HANABUSA. Madam Speaker, President Obama laid out in his State of the Union address a blueprint for an America to last. To do this, he said, we need to rebuild the American economy by reviving manufacturing, new and innovative energy sources, educating and creating a strong, more skilled workforce. And, more importantly, renewing our American values.

I want to talk about the new and innovative energy sources. Remember when the ARRA was passed, President Obama spoke about building the green economy, jobs in the energy field that look to the future. Hawaii shows that this can work. Our recent unemployment rate shows that it does work. Our UI rate is 6.3 percent, though we would like to see it lower. Note that our initial claims are down 16 percent. Total claims are down 10 percent from last year. And the area where we're seeing job creation is in the solar energy market. We have an 18 percent increase in the permits in the first 5 months of this year.

Our Department of Labor projects 2,900 jobs by the end of this year—green jobs, 25 percent over the past 2 years.

President Obama has got it right. Let's look to the green economy.

SUBSIDIZING ENERGY COMPANIES IS A FAILED POLICY

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

Mr. POE of Texas. Madam Speaker, each year, Americans write a check to Uncle Sam in hopes that their money is going to the right places. Unfortunately, the Federal Government has lost credibility as the steward of taxpayer money.

In the past 3 years, millions of taxpayer dollars have been squandered in risky ''clean and green'' energy projects, and many of those companies have failed. And the beneficiaries of these shady ventures just happen to be the President's men. Enter Solyndra. Half a billion tax dollars subsidized a company that was doomed to fail. Eighteen hundred people lost their jobs, and Americans will never see the refund on their money. But the cronyism continues. Last week, the Department of Energy awarded $2 million to Solar Mosaic. The President's former green jobs czar, Van Jones, is an adviser to that company. Imagine that.

It's time to quit gambling taxpayer money on risky projects for all the President's men.

And that's just the way it is.

MCCONNELL AND DISCLOSURE

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

Mr. YARMUTH. Madam Speaker, in 2003, the current Senate minority leader told NPR:

> Money is essential in politics, and not something that we should feel squeamish about—provided the donations are limited and disclosed, everyone knows who's supporting everyone else.

I agree with that version of Senator MCCONNELL. But there's a new version who revealed last week that he doesn't think that we should know who's buying our democracy, and he compared this administration's opposition to unlimited anonymous campaign contributions to the Nixon administration. I understand why Nixon came to mind, but I think the Senator is projecting here. After all, he now believes anonymous donors using secret money should be able to influence elections, all out of public view. Nixon wrote that playbook.

Anonymity allows people in campaigns to distort the truth at best, or to lie outright, with no chance of being held accountable. If you oppose disclosure of campaign financiers, you're endorsing dishonest campaigns.

Madam Speaker, the voters have a right to judge the credibility of campaign ads, and that is simply impossible without disclosure of those who are influencing our elections.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380.

Mr. WILSON of South Carolina. Madam Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 1380, the New Alternative Transportation to Give Americans Solutions Act of 2011.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2578, CONSERVATION AND ECONOMIC GROWTH ACT

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 688 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 688

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. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, 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. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–25. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment,

and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. 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.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

□ 1220

Mr. BISHOP of Utah. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), with also a congratulations and a welcome back to the gentlelady from New York, who has been incapacitated for a while. It is nice to see her back on the floor with her health starting to recover.

Pending that, I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I also ask, Madam Speaker, that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. This particular resolution provides for a structured rule for the consideration of H.R. 2578, the Conservation and Economic Growth Act, which contains 14 titles containing important legislation impacting our Nation's public lands and our national parks.

The rule provides for 90 minutes of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources and makes in order the vast majority of amendments which were filed at the Rules Committee. So this structured rule is extremely fair and will provide for a balanced and open debate on the merits of this particular bill.

It was only a couple of Congresses ago, Madam Speaker, in which the Senate sent over an omnibus bill. It had over 100 particular bills added to it. I should have been happy. Three of them were mine. And even though mine were really great bills, some of the rest of them were really bad. That was 1,200 pages. But what was most egregious about that bill that was sent from the Senate is that 75 of those 100 bills had not had any hearing whatsoever in the House. One in particular that dealt with my State, although not my district, not only had not had a hearing in the House, it hadn't even had a hearing in the Senate when it was put into this pile, and it was brought to the floor under a closed rule.

This bill, every single title has gone through regular order. The committee of jurisdiction has had a hearing on each of these elements. They have had a debate in full committee on each of these sections, and they have had a markup on every one of these bills. The committee has heard and has done the work. The amendments that were germane to the issue and were not assigned to other committees were made in order to be heard on the floor.

So once again, this is a bill that is unique in the spectrum of traditional omnibus bills, tying things together, because it did go through regular order, the committee did hear each of these provisions, and it is appropriate to now send it over to the Senate so they can try to consider something at some time in some form of regular order.

With that, Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. I thank the gentleman for yielding me the customary 30 minutes and yield myself such time as I may consume.

Madam Speaker, first I want to say how happy I am to be back. I appreciate the welcome I've gotten from all my colleagues, and I've missed you terribly. I missed you, like we used to say in Kentucky, like a front tooth.

The bill before us today, Madam Speaker, is another wasted opportunity, I'm afraid. Today's legislation is composed of 14 separate bills, several of which are even bipartisan. But regrettably, these worthy proposals will not be signed into law because the majority has packaged them with other proposals that endanger our environment and public health.

Several of the controversial provisions before us are based on Democratic proposals. Unfortunately, the Democratic bills were taken and rewritten in such a way—extremely—that they can no longer receive bipartisan support. Two provisions in particular illustrate the extremely partisan approach.

First, title 3 would unnecessarily change a long-standing agreement and endanger the biologically sensitive Alaskan wilderness. This provision would open up our Nation's largest national forests to logging and allow rare old-growth forests to be clear-cut and sold for private gain.

Second, in the most extreme proposal before us, title 14 would impose a so-called ''operational control zone'' over almost 100 million square miles of American land.

On Federal land within this zone, the Department of Homeland Security would then be allowed to ignore 36 environmental laws, and Federal border agents would be able to operate with few limits on their power. My good friend from Utah has put forward an amendment to pare the 36 laws down to 16, but that is still 16 too many.

Title 14 proposes a solution to a problem that doesn't exist. Proponents claim that environmental protections prevent the U.S. Customs and Border Patrol from stopping illegal immigration. However, sworn testimony by both Border Patrol officials and the Federal land agency officials contradict this claim. In fact, the Department of Homeland Security opposes this legislation.

My entire district, all of it, would fall under the newly created operational control zone. As a result, U.S. Customs and Border Patrol could take control over all the historic landmarks, such as the Theodore Roosevelt National Historic Site, build anything on it that they needed. And I know my constituents pretty well after this number of years. They would not take to that at all.

Meanwhile, the sacred, historic, and sovereign lands of the Tuscarora Indian Nation would also be open to Federal agents. Such an extreme Federal overreach would violate the sovereignty of the Tuscarora Indian Nation. Many other tribes around the country whose land falls within this zone would face the same problem.

In a letter to the leaders of the House, the United South and Eastern Tribes wrote of the danger of this provision. They wrote:

> Many Indian tribes have lands and sacred places located near U.S. international borders, and we believe that the sovereignty and cultural integrity of our member tribes and others is unnecessarily put in jeopardy by the sweeping approach in this bill.

Federal cooperation, not Federal overreach, is a proven and prudent way to protect our borders. A recent GAO reported confirmed what we learned in sworn testimony: every time Federal cooperation between the Border Patrol officials and our land management officials was requested, it was given—every time. The only time conflicts remained between environmental laws and border enforcement was when Border Patrol officials didn't bother to ask the Department of the Interior nor the USDA for cooperation.

Finally, it is worth mentioning that the majority violated the rules of the House when they combined 14 unrelated bills into the one bill before us today. However, the Rules Committee gave itself a waiver despite repeatedly denying such waivers for Democratic proposals throughout the year. Once again, when the majority wants to break the rules, they find a way. But when Democrats ask for a waiver for one of our proposals, all of a sudden the rules of the House have been written in stone.

I urge my colleagues to oppose today's extreme and partisan legislation and to stand up against the Federal overreach contained within this bill.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

Within this bill, there are, as I said, several proposals that are there, all of them dealing with Federal lands and all of them dealing with overreach that has taken place, unfortunately, by this administration. Let me just highlight a couple of them and why these bills are useful and very much important.

Title X of this particular section deals with Cape Hatteras in North Carolina. Cape Hatteras in North Carolina was established as a recreation area. In fact, the economy of that particular county, Dare County, was established as a recreation zone and a recreation area. Authorized in 1937, that's still 30,000 acres for recreation purposes.

The U.S. Fish and Wildlife Service started in negotiations with the community of how they would actually try to manage that land, especially governing off-road vehicles. They established certain restrictions that would limit visitation.

□ 1230

And for local residents who were there, the residents agreed to those, even though they weren't really quite happy about it. And everything was going well until special interest groups started the litigation process.

You see, the Fish and Wildlife Service had issued a biological opinion finding that this interim management strategy that was established in the cooperative, collaborative process had indeed solved the problem and that there would never be any kind of jeopardy to any endangered species listed in that particular area. Everything was going well until, once again, there was a lawsuit.

A year after this agreement had been made, there was a lawsuit which this administration, unfortunately, decided to negotiate out of court. The lawsuit was never actually adjudicated. No judge made a decision. Basically, the administration caved to the special interest groups; and they rewrote the opinion that had been ruled by the Fish and Wildlife Service, their biological opinion that it did not jeopardize any endangered species.

So that went into effect. And, unfortunately, in March of this year, they even shrank the rule again to make it even more restrictive than the consent decree that had been settled out of court.

What this bill, this section of this particular bill, does in Cape Hatteras is do what's logical. It goes back to the original concern, the original land management plan that was done with the cooperation of the Fish and Wildlife Service and the local constituents that had been agreed upon, that had nothing to do with endangered species and did not jeopardize anything, simply going back to what had been done before the administration decided simply to cave in to special interest groups and settled out of court.

There's another section, I believe it's section 11, that deals with grazing rights. One of the things that businesses deal with, especially those that deal with grazing rights, is they need a constant to make sure that business is not uncertain. That is a most significant part.

One of the things we're finding out right now, though, is with grazing, especially in the West, excessive paperwork within the Department means we create missed deadlines that cause environmental litigation. And once again, stability is a constant that is necessary in business, and grazing is a business. It's one of those problems that to redo a permit to allow grazing will take 4 to 7 years for a permit that's only 10 years in the first place.

What this bill does is say those permits now go from 10 to 20 years, once again, to give some consistency to those who are engaged in grazing activities. It also codifies appropriation language that has had bipartisan support for over a decade and makes sure that NEPA review in crossing and trailing of livestock on public lands is not going to be subjected to another layer of red tape.

This industry puts $1.4 billion into our economy every year. And if, indeed, we do not treat our ranchers well, the 22,000 ranchers who have these Federal permits, the ability of maintaining this as a viable occupation is put in jeopardy. This amendment, this section fixes that. It solves that problem.

There are some other good ones. In fact, the one that I am proposing I will talk about in a minute. But for now, let me simply reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentlewoman.

Madam Speaker, I rise to focus attention upon one provision in this legislation, perhaps a few rose petals hidden in a very unnecessary thicket of painful thorns that are the center of this legislation.

Recently nominated as a World Heritage Site, the Spanish missions in San Antonio are a unique treasure for parishioners, for tourists, and for Texans everywhere. In 2010, our able former colleague, Ciro Rodriguez, introduced bipartisan legislation, both to expand the San Antonio Missions National Historical Park by about 151 acres and to require a study by the Secretary of the Interior about even further expansion of this important park.

In 2010, this very House approved the Rodriguez legislation. Though a companion bill was offered by Senator KAY BAILEY HUTCHISON, and she got it out of the Senate committee, the full Senate failed to act on the Rodriguez bill.

During this Congress, I have been one of five Members who joined Representative CANSECO in re-introducing the Rodriguez bill. Instead of approving our bipartisan measure, the Resources Committee has merged only a fraction of that bill into a totally unrelated piece of legislation that is little more than a giant giveaway and exploitation of public property and which will endanger irreplaceable natural resources from the seashore in North Carolina to the Tongass wilderness in Alaska.

While Senator HUTCHISON continues to work on a bipartisan basis, this particular measure really includes little of the protection that our missions deserve. Now any purchase of additional land for this park, an original purpose of the bill, that's prohibited, and even a mere study of the possibility of additional park expansion, that's denied in this bill.

Now, the only way that the park can be expanded is if a private or public owner donates land to the park. In other words, it makes future expansion and protection of these San Antonio missions dependent entirely upon charity.

No matter how public-minded some private property owners may be, some are likely to be unable to afford to donate the land.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield an additional minute to the gentleman.

Mr. DOGGETT. So some property owners will be unable to donate their land. Instead of continuing the previous bipartisan commitment to the missions, this bill reflects the same ideological extreme so evident in our larger public policy debates, like that over the future of our national transportation system. Yes, our Republican House colleagues are all for good transportation. It's just paying for that transportation that they're opposed to.

And so today we hear about private property rights. Well, what about the private property right of an individual landowner to sell their property for a legitimate public purpose such as expanding this vital national park? That is denied in today's bill.

This bill will not grow the park in the way necessary to fully enhance the missions that are so very significant to San Antonio and to the culture and history of our Nation. The better approach is to wait and follow Senator HUTCHISON's lead and to approve a freestanding, bipartisan bill and give these missions the protection they deserve.

Mr. BISHOP of Utah. Once again, I appreciate the opportunity of talking about a couple of other elements in this bill. I appreciate the gentleman from Texas and his comments.

Unfortunately, yes, the study was taken out because it would be a replication of what has already been done; and the land that could be used to expand this is already in the public domain. And what we are simply saying with this particular bill is, no, we don't need to try and force private property owners to sell their lands. If they want to donate it, that's fine. It's not essential to the expansion of this particular park. I think it's the appropriate thing to do.

Let me, though, Madam Speaker, if I could, talk about the other provision,

title XIV in there, which deals with our border security. It's one of those things that I happen to think fairly significant.

If I could start with just a few charts so that people understand what is going on. This chart is simply the division of this country by Border Patrol sections. You'll find out that certain sections have a lot more people coming into this country illegally than other sections.

For 2009 and 2010—those are the last 2 years for which we have full data—there were about a half million people that were illegally apprehended, just apprehended coming into this country. But of those half million, a quarter million, 51 percent or more, were coming through one sector which happens to be the Tucson, Arizona sector. That's not even the entire State of Arizona.

So the question has to be asked, why are 200,000-plus people being apprehended in Arizona when in Maine it looks like about 39 people were apprehended? Why is this area the entrance of choice?

I think it's undeniably that one of the reasons is simply because of the territory on that southern border. Everything in red on this border is land that is owned by the Federal Government. You'll see that 80 percent of Arizona is Federal land, much of that being wilderness and endangered species habitat or conservation rights-of-way.

One of the ironies is our Border Patrol, which is tasked with securing our border, has almost unlimited rights to do what they need to do to protect our border on private property and no one objects to it, which is why the statement of the gentlelady from New York is somewhat disingenuous, because most of her district is, indeed, private property. Border Patrol already has these kinds of options.

□ 1240

It is only on Federal property that the Federal Border Patrol is prohibited from doing its Federal job, and that seems bizarre and, indeed, unusual.

See, this is what the border actually looks like. That's the fence, and that's the one road that the Border Patrol is allowed to use if this happens to be a Federal wilderness designation. The break in the fence, by the way, happens to be there so that animals can go freely from Mexico into the United States and back and forth. I think I could contend that not only animals are using that kind of break in the fence.

Needless to say, the issue at hand simply is: Why is the Border Patrol prohibited from going into certain Federal areas when they need to do it even though the bad guys—the drug cartels, the human traffickers, the kidnapping rings, the prostitution rings—are allowed to go in there?

We have in these Federal wilderness areas 8,000 miles of illegal roads, created by illegal drug traffickers, going into this area, and the Border Patrol by our rules and regulations and laws is prohibited from going into that same area. Is it right that they, in hot pursuit, should have to go to the edge of one of those wilderness areas and then have to wait? Indeed, that is what has happened.

Secretary Napolitano, when she was first put in there, simply said:

> One of the issues is, at the Southwest border, it can be detrimental to the effective accomplishment of our mission. In fact, it may be inadvisable for officers' safety to wait for the arrival of horses for pursuit purposes or to attempt to apprehend smuggling vehicles within wilderness with less than capable forms of transportation.

The Border Patrol clearly recognizes this. They actually tell us they don't need more money, that they don't need more manpower. What they need is access into that area, which currently they are denied. Let me show you how that works.

This is simply one of the sensors that's used. Instead of having an actual fence, you use the sensor. It's a truck with a sensor on the back of it. In this Federal national monument, which is almost all wilderness designation, the Border Patrol wanted to move this truck from point A to point B. It took the land manager 3 months to grant approval to back up the truck and move it to some other place. During that 3 months, there was a 7-mile blackout area in which there was no surveillance possible. At the end of that 7 months, if the land manager had said, ''No, that area is too sensitive. I don't think you should go there,'' I would have objected, but I would have understood. Unfortunately, after 3 months of review, he let them move the truck, and it was too late to do it then.

That kind of example of what is happening on our border is replicated time and time again. Let me give you some examples.

In 2007, the Border Patrol asked permission to improve two forest roads in the Coronado National Forest, a total of 4 or 5 miles on the border at the edge of this area. They wanted to be able to move their mobile surveillance systems to higher ground to actually get control of the particular area. They would use the road at most once a day, but the Fish and Wildlife Service delayed the decision because they were afraid some of the dirt may eventually get into one of the streams in the particular area. The net result is, in 2011, permission still not being granted in this particular area, a catastrophic wildfire burned 68,000 acres. Three illegal aliens were arrested, and one admitted actually starting the blaze.

In 2010, the Border Patrol requested three helicopter landing sites in the Miller Peak Wilderness. The Forest Service liked the idea because they could use those sites also for fire suppression. Once again, the Fish and Wildlife Service, a competing agency, had concerns because it would have an impact on the Mexican Spotted Owl. Unfortunately, when they did a survey, they found that there were no spotted owls in the area. Nonetheless, the Fish and Wildlife Service stopped the construction of those helicopter pads. Then in 2011—you guessed it—1 year later, a 32,000-acre fire, which destroyed dozens of homes, took place. Once again, it was found that illegals coming into this country started those fires.

The citizens of Tombstone, Arizona, are allowed to go five at a time with hand tools into these wilderness areas in order to repair the pipeline, which supplies water to the city, that was damaged in these fires. Once again, the Fish and Wildlife Service said the Mexican Spotted Owl was the reason for those limitations.

GAO did a survey, a report: 17 of the 26 Border Patrol stations experienced delays, and 14 of those 17 reported being unable to obtain permits or permission from land managers to use it. Stations that were found in California, Texas, Arizona, and New Mexico confirmed that they were unable to control the border due to land management positions. Even on the northern border, in the Spokane sector, they found, once again, they were being blocked from existing roads on national forest land due to environmental concerns.

The GAO report found that it could take 6 months or more for permission to improve roads needed for patrolling in New Mexico. Another Border Patrol station reported 8 months in delay for the permission to move a sensor as the land manager required an historic property assessment. A station in California reported that it took 9 months for permission to do road maintenance on Federal land.

These are the factors that are inhibiting our Border Patrol from doing their job.

Now, in the GAO report—and some people look at the executive summary, and they are looking at it improperly—it said that 22 of the 26 agents in charge reported that the overall security status had not been affected. What that meant was their status of being a controlled sector, a managed sector, or a monitored sector had not been changed; but what they did say is they were being inhibited and impeded in doing their job to try and control our particular borders.

Look, those who are coming in—the drug cartels, the human traffickers—they don't care about our laws. This is an endangered species. This cactus was cut down, but it was cut down by the drug cartel to do a roadblock across a public road in the United States so they could use it to stop cars and then mug the participants of those cars, and this is whether in those cars were Americans or other foreign nationals coming in there.

What is probably worst of all are the rape trees that are taking place—violence against women who are coming

down on American land in these areas. That simply means, as the coyotes lead these women across the border, at the end of that road, as the final payment, they will rape the women and then leave an article of clothing on one of the trees as a trophy for their actions.

This heinous activity taking place on American land is not being prohibited now and will not be prohibited unless the Border Patrol is allowed to maintain access on this property. That's why this bill, this section, is so essential. It is the war on women.

We had 19 people in the month of May of this year who died in the Tucson sector alone. Unfortunately, that is an increase from what happened a year ago in May. We need to end this problem. There are three reasons why this section is important:

One, sovereign countries control their borders. We need to be able to say we control our borders.

Two, I want to see a comprehensive immigration package go forward, but every time I hold a public town hall meeting, I know the first question that will be asked of me, which is: When will we control the border? There is a great deal of anger and anxiety out there, and it is very clear that we will never get consensus for other immigration reforms to take place until we have first reduced the anger and anxiety.

C.S. Lewis said, You do first things first, and second things will be added to it. If you do second things first, you will accomplish neither first nor second things.

This administration seems to be intent on trying to do, for whatever political purpose it may have, second things first. The first thing is to control the border. When we can truly look with an honest answer in the eye of our fellow citizens and say, ''America's borders are secure,'' then there will be a reduction in the anger and the anxiety that will allow us to move forward.

Three, we have to stop the violence against women. These rapes that take place on rape trees on American property—on Federal land on American property—because the Border Patrol does not have access to this area to patrol it effectively must stop. It's our duty and obligation to make that stop.

With that, Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to a member of the Committee on Natural Resources, the gentleman from California (Mr. COSTA).

Mr. COSTA. I rise today to speak in opposition to the rule for H.R. 2578, the Conservation and Economic Growth Act.

First, I want to thank the gentlewoman from New York for allowing me some time to speak on what I think are some of the good things in this package. Unfortunately, I don't think this is the appropriate way we ought to be debating some elements of the challenging issues of immigration reform in the House of Representatives.

First, these bills should be taken on their individual merits, not as a package. If we consider them together, we should then have an open rule that would allow us to then debate the merits of each individual bill.

□ 1250

Some of the bills contained in H.R. 2578 are helpful to my constituents, and I've supported them in the past. As an example, the measure offered by Mr. DENHAM allows the Federal Energy Regulatory Commission to consider spillway improvements on the project by the Merced Irrigation District. This would allow an expansion of the capacity of that reservoir. Some 1,800 feet of the Merced River would be impacted; but as a result of it, we would gain perhaps as much as 78,000 acre feet of additional water supply that is much needed in the San Joaquin Valley. That is a good portion of this package.

There are also other areas that I support, language within the bill, to provide certainty to the grazing community that I am an original cosponsor for: grazing land, public lands that provide opportunities for America's beef industry that is very essential and very important.

However, this bill also contains controversial provisions that would be damaging to my constituents. H.R. 1505 gives the Customs and Border Protection authority to waive numerous laws pertaining to Federal land management.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield an additional 1 minute to the gentleman.

Mr. COSTA. I thank the gentlewoman.

H.R. 1505, as I was indicating, would waive numerous laws that pertain to very important elements of not only the coastal zone, but mining, public health, safety, and public review within 100 miles of the U.S. border. I oppose this measure because it is too sweeping in its efforts.

This bill also portends to provide border security problems on land management laws. We have challenges with our border; there is no question about it. I've supported additional funding for the Border Patrol agency. We must protect our borders, but to do so in a land management bill simply makes no sense. We should be taking up comprehensive immigration reform separately from land management bills. That is, I think, the method that we ought to apply.

Mr. BISHOP of Utah. Madam Speaker, I yield myself 2 minutes.

Once again, Madam Speaker, I appreciate the gentleman from California's comments, although I'm going to have to push back slightly on a few of those, if it's at all possible.

This particular bill deals with 100 miles from the border simply because that is the legal definition of border land by both statute and judicial decree. It does not deal with coastal areas. In the committee, those areas were taken out because it is maritime area. The Border Patrol deals only with land borders and those particular areas.

The 36 rules that are waivable is precedent established by this Congress. In California, where the gentleman resides, when they wanted to finish the fence and it was being withheld by certain kinds of litigation, Homeland Security came up with 36 specific rules and regulations they wanted to be able to waive so they could do it. That was the precedent. The rules and regulations that are in this particular bill that's now title 15 are the exact same 36. That's where the precedent comes. That's why Homeland Security wanted that time to finish their job. That's what they needed this time.

However, I'm also making an amendment to this bill that will reduce those 36 because, to be honest, some of those never really were a problem. It will reduce it now to the 12 that the Border Patrol thinks are the most egregious. But there is precedent for that particular thing. All we are doing is trying to give the Border Patrol the same rights on Federal lands that they currently have on private property. There is no expansion of power and no expansion of jurisdiction. It's the ability to say our number one goal is to have border security; and if there is a rule or regulation getting in the way—and there are according to the GAO reports—those should be waived for the purpose of border security. That's the whole purpose. We're not expanding a power. We're not taking anything more than that in particular away.

With that, Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), who would like to speak about this particular rule.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman from Utah for yielding, and I particularly appreciate it, given the subject matter I'm about to bring up.

Madam Speaker, I had introduced legislation months ago in this Congress, in fact, as far back as last August, H.R. 2942. It's the result of the massive flooding that we have suffered in the Missouri River bottom last summer.

The Corps of Engineers released unprecedented discharges of water coming down the Missouri River; 70,000 cubic feet per second was the previous high. We went through 160,000 cubic feet per second. It was a secret flood. No one could drive there, and no one could boat there. You had to fly over it to see it, and it was water that was perhaps a mile and a half wide downstream from Sioux City, Iowa, to just a few miles south of there, 8 miles wide at Blencoe, 11 miles wide upstream of Omaha. And south of Omaha downstream below Glenwood, it became 4 to 6 miles wide all the way down into Missouri, St. Joseph, Kansas City, and on about halfway towards St. Louis.

This was a massive flood of historic proportions. It could have been prevented; yet I have not challenged the Corps of Engineers on that. I've just said to them we need to fix the problem so it doesn't happen again. They have declared that this was a 500-year event, even though the USGS statistician said it is somewhere between a 70- and a 1,000-year event.

H.R. 2942 enjoys the support of almost everyone that represents the Missouri River watershed area. And, yes, naturally, it will be more downstream. But from Sioux City downstream to the mouth, there's only one that represents the river that has not signed onto this bill. It's bipartisan; it's the entire Iowa delegation and most of Nebraska. Yet the Rules Committee turned down my request to offer an amendment even though there is no discussion and no disagreement. My amendment was germane to the bill. They raised an issue of jurisdiction after I was dismissed from the committee. I don't think that was by plan or strategy.

My preparation is this: if a Member of Congress can't have their voice heard on an amendment that's germane when all of the boxes are checked and everything was done right to present it before the committee—by the way, I want to thank the gentleman from Florida for calling for a recorded vote on this, a party-line vote. This time it was Democrats siding with STEVE KING. It's the second time the Rules Committee has turned me down this year on a legitimate request.

But I'd ask, if the House is going to work its will, as Speaker BOEHNER has said, we must have a Rules Committee that will allow when it's in proper form to allow that kind of a vote here on the House floor. I'm not going to get that debate. I'm not going to get that vote. And the people that I represent and all of us from Sioux City downstream to St. Louis now have been covered by not just water for an entire summer, more than 3 months of epic-proportions flooding, but now what's left for us, Madam Speaker, is sand and camel habitat.

I'll vote ''no,'' but I don't intend to try to bring down the rule.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. POLIS), a valued member of the Committee on Rules.

Mr. POLIS. I thank the gentlelady for the time as I rise in opposition to the rule.

I agree with my colleague from Iowa. I voted for the amendment to the rule offered by Mr. HASTINGS of Florida that would have allowed his amendment and others.

What are we scared of here? This is what we do. We are the House of Representatives. Let us work our will. Some of us will be for amendments, and some of us will be against amendments. But to hold all that power to a select group of people rather than allow the entire membership of this body to offer—again, we're talking about relevant amendments that meet the requirements, meet the rules of the House. What are we scared of in bringing that forward? Let's have a discussion on the merits.

Instead, what do we have here under this rule? We have 14 separate bills all cobbled together with a limited period of time to debate all of them and without an opportunity to amend them from both sides of the aisle that would have been afforded under either an open process or a structured process that allowed all the rules that met the requirements to be debated under this bill each for their own period of time.

Now, I want to discuss in particular what I find to be one of the most egregious provisions of the bill, which is really a solution in search of a problem, namely, this is an aspect of the bill that would waive over 40 environmental safety and public health laws and give Department of Homeland Security complete authority to seize control of Federal lands within 100 miles of our northern and southern borders.

□ 1300

Now this provision's reach is broad. It rolls back all of the relevant protection laws. And again, for what purpose? We had a discussion in the Rules Committee yesterday, and I, with my colleague Mr. BISHOP from Utah, had the opportunity to follow up.

And it is very clear in statute that in any wilderness or any Federal lands, under any level of protection, if they are in hot pursuit of a suspect, they are allowed to continue that pursuit in the wilderness. Wilderness areas are not some sort of legal sanctuary where criminals can go and not be pursued. That has nothing to do with the purpose of wilderness, and it has nothing to do with the reality of wilderness. Much of my district in Colorado has wilderness areas. And if, in fact, there were these lawless areas that the police couldn't go to pursue suspects, all the criminals would live in the wilderness, and they would simply come out to commit crimes and then go back in. That is simply not the case. Law enforcement officials assure me that whenever they're engaged in hot pursuit, they are able to, of course, continue to pursue immigrants or others, criminal aliens, et cetera, into wilderness territories.

Now this is a problem, the immigration issue, that cannot simply be enforced away. When we're talking about immigrants without papers, they are in our cities and towns. They are in our schools. They are the grandmother of the American grandkids. They are residents of our communities. They are people who I meet with on a regular basis. We try to help our immigrants get on with their lives, contribute to our country, and make it stronger.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I will be glad to yield the gentleman an additional 1 minute.

Mr. POLIS. Yes, there's a problem here. And thankfully, President Obama took a bold first step and reduced the number of illegal immigrants in this country by 800,000 to 1 million with one stroke of his pen. But frankly, the presence of any illegal immigrants in this country is an affront to our law and an affront to our national sovereignty.

We owe it to the American people to take up real immigration reform to ensure that there are not 15 million people here illegally, not 10 million people here illegally, but there are zero people here illegally through comprehensive immigration reform, of which President Obama took the bold first step of ensuring that young de facto Americans have their permission to work.

Look, our undocumented population is not fleeing into the wilderness, and the problem with immigration is not that we are not able to pursue them. It's simply not the facts on the ground. Let's deal with the real issue and replace our broken immigration issue with one that works and makes our country stronger.

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, if we defeat the previous question, I'm going to offer an amendment to the rule that will allow the House to consider the United States Call Center Worker and Consumer Protection Act. Call centers have been outsourced more than pretty much any other type of job from the United States. This bill will help keep call center jobs in America.

And to discuss his call center proposal, I'm pleased to yield 5 minutes to my colleague from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlelady for yielding.

Madam Speaker, the U.S. Call Center Worker and Consumer Protection Act, H.R. 3596, is a bipartisan bill. It has 128 Democratic sponsors. It has seven Republican sponsors. And the bill is very straightforward.

It would do four things. It would require companies that plan to move a call center overseas to notify the Secretary of Labor no less than 120 days before the relocation occurs. If a company does move a call center overseas, that company would be ineligible for any Federal grants, contracts, or loans during the time that the call center workers are overseas. It would require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas. And it would allow customers who are calling customer service communications at the beginning of the call to request that the call be transferred to a U.S.-based call center, if they so chose.

There are two dimensions to this bill: one is about jobs, and the other is about the security of consumer data. They are both very important. But let me start with the more important, which is jobs.

Now we talk a great deal in this Congress about how the number one priority has to be the creation of jobs. It does. And we have to move beyond the lip service that I think the Republican majority has given to the creation of jobs and actually put policies in place that will create jobs. But we also have to protect the jobs that we have. And one of the scourges of our economy right now is the outsourcing of jobs. Just in call centers alone, in the last 5 years, we have lost over 500,000 call center jobs. These are good, solid middle class jobs. To add insult to injury, the companies that are offshoring the jobs have taken millions of dollars of incentives from local taxpayers to open call centers in the U.S., only to offshore those jobs a short time later and leave local communities devastated and still paying the bill.

And the U.S. consumers are getting it. U.S. consumers have become more and more skeptical of the toll that outsourcing plays on the American economy. A paper by the Council on Foreign Relations noted that over two-thirds of Americans think companies sending jobs overseas is a major reason why the economy is ailing. In a paper done by a Harvard economist, more recent polling data suggests that these feelings have increased, where now over half of all Americans are ''resentful of businesses that send jobs overseas,'' and over 80 percent have ''concern for their family future'' due to outsourcing. So this job creation and job protection dimension of the bill that I have filed—as I say, with bipartisan support—would address these issues at least in one piece of our economy, and that is call centers.

Let me move to the issue of the protection and security of consumer data. Outsourcing call center work exposes the confidential and vulnerable personal information of American consumers to foreign workers. Foreign call centers are not subject to the same rigorous oversight as American call centers. As American companies look to less developed countries for offshoring their jobs, call center companies are actually subsourcing call center work without their American customers' knowledge.

It's expensive and difficult to conduct proper background checks on foreign call center workers, and up to one-quarter of all foreign call center applicants provide false or incorrect information. Foreign call center workers have been caught offering to sell personal consumer data to undercover journalists, threatening to release Americans' medical records and employment disputes, misleading American bank customers in schemes to bolster sales, and attempting to sell trade secrets to their employers' competitors.

A March 18, 2012, article published in The Times of London cited that undercover journalists were offered data such as credit card numbers, medical records, and loan data for hundreds of clients for just pennies. So clearly, from both dimensions here—from a job protection dimension and from a consumer data security dimension—this bill addresses both of these issues; and we simply must put in place these kinds of protections.

States have already done this. State legislatures in Florida, Georgia, and New Jersey have all passed bills that are very similar to the bill that we have before us. This is a commonsense proposal that enjoys bipartisan support. Let's vote ''no'' on the previous question so that we may consider this job-saving bill.

Mr. BISHOP of Utah. I appreciate the efforts of my namesake from New York. I appreciate what he is doing. Chairman HASTINGS of the Resources Committee was extremely specific in which he said that after the Democrat Senate had sent over that atrocious omnibus bill with over 100 bills cobbled together, 75 of which have never had a hearing over here, we would only put together this type of regulation if it had gone through regular order. Unfortunately, the gentleman's bill has not had a hearing in any committee. It has not actually been reported yet, which is one of the reasons why it has not been included in this particular list. Although I'm not denigrating his efforts whatsoever.

I would like to yield 1½ minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Madam Speaker, back in the nineties, I introduced a bill dealing with the wilderness area along the border. Originally, those on the other side of the aisle in the Clinton administration opposed the inclusion of roads in that wilderness area—and they opposed it strongly—until the Secretary of the Interior came down to the border and saw the habitat destruction being caused by a lack of proper enforcement.

This situation that's being proposed now is actually to try to get this issue addressed appropriately because you have individuals who are using environmental issues as a way of blocking the enforcement of law along the border.

And let me say this to both sides of the aisle: If you really do care about the habitat destruction along the border, if you really do care about the preservation of the wildlife opportunities down there, will you ask yourself, Why are you or the Republican side not addressing the issue that the Federal Government today has not taken care of the problem at the border because it hasn't taken care of the real source of the problem of the out-of-control borders, and that is employers hiring illegals.

I challenge you: Why does the Federal Government allow businesses to deduct the price of hiring illegals? Why isn't every Democrat and Republican on the New IDEA bill cutting off the tax deduction and the ability for people to profit from the tax code by profiting from illegal immigration?

□ 1310

Your impact on the border will be addressed more by changing your enforcement at the workplace and your Tax Code than it will be with whatever you do at the border. So I just ask you, if you care about the environment, if you care about eliminating the scourge of illegal immigration and all the problems, why aren't you stopping the subsidy of those who are creating the problem by employing them?

Ms. SLAUGHTER. I yield 3 minutes to the gentleman from New Jersey, ROB ANDREWS.

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

Mr. ANDREWS. I thank my friend, and it's so good to see her energy and enthusiasm back on this floor with us today. We welcome her.

286 days ago, the President of the United States came to this Chamber and addressed the number one problem that I hear about from my constituents, which is jobs for the American people.

I know that this bill raises very serious and important issues, and I applaud its authors and sponsors for bringing it to the House floor, but I think it's the wrong bill on the wrong day.

The President said that we should cut taxes for small businesses if they hire people. But we haven't taken a vote on that proposal, and we're not going to take one today.

The President said that we should put construction workers back to work building bridges and roads and our electric infrastructure, our intellectual infrastructure, but we're not voting on that proposal today.

The President said that firefighters and police officers and teachers who have been taken off the job should be put back on the job so they can spend money in the stores and the restaurants, but we're not voting on that proposal today, and we haven't voted it on it on any of the 286 days since the President proposed it.

Instead, we have the proposal in front of us that, again, is very serious, raises a lot of issues. But I suspect if most of us went back to our district today and said, ''What would you rather have us do, vote on three simple, clear ideas up or down on whether to create jobs for the American people or vote on this?'' I think they'd want us voting on the jobs bill.

Now, we have a version of that jobs bill that we have a chance to get on the floor, and that is Mr. BISHOP's proposal that says the following: If you do business in the United States of America, if you sell your products to the American consumer, then your call center ought to be in the United States of America.

How many of our constituents, Madam Speaker, are tired of placing a call to a call center and you don't know where it is, the person at the other end of the phone doesn't know what you're saying and doesn't understand what you're asking about.

Should we be using American tax dollars to reward companies that outsource call center jobs? I think the answer is no.

This would be one simple and clear idea that we ought to put on this floor so the Members have a chance, by voting ''no'' on the previous question, to say, Let's take a vote on the proposition that you can't use American taxpayers' dollars to outsource American jobs in call centers. And then maybe some day, after 286 days, we'll finally get around to the President's idea to create jobs in small businesses in this country.

Vote ''no'' on the previous question, ''no'' on the rule.

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I thank my colleague, the ranking member on the Rules Committee, for allowing me to speak.

I'm a strong supporter and an original cosponsor or of the U.S. Call Center Worker and Consumer Protection Act. This legislation will help us protect U.S. consumers and level the playing field for American workers who have seen thousands of call center jobs needlessly sent offshore in recent years. Namely, this bill would require the call center to notify the Secretary of Labor at least 120 days before relocating outside the United States. It would require the Department of Labor to publicly list the firms that have moved call center jobs overseas and then make those very firms ineligible for any direct or indirect Federal loan for 5 years. To protect consumers, this legislation requires call center employees to notify U.S. consumers where they are located, if asked, and will require that call center to transfer calls to an American call center for questions.

The U.S. Call Center Worker and Consumer Protection Act has support of both sides of the aisle, and I ask all my colleagues in the Chamber to stand with American consumers particularly, but also with these American jobs, and support this legislation and, again, support the effort to make sure we can have a vote on the House floor for that.

Mr. BISHOP of Utah. Madam Speaker, I yield myself 3 minutes.

I appreciate many of the comments that have been made here. I'm glad the gentleman from Colorado is still here, because in the memo of understanding which controls what the Border Patrol does, Border Patrol is able to go anywhere they want to on foot or horseback. They may go on a motorized vehicle on existing public administrative roads. But there is nothing in the memo of understanding that extends there to prevent them unless it is an existing exigent emergency. And the problem the Border Patrol actually has is no one really knows how to define exigent emergencies. That's one of the reasons why they want to have something specific in the memo of understanding—nor the statute does not help them in those particular areas—because, indeed, land managers have handled those exigent circumstances differently.

I would like to say one other thing as well, because there are some places in this Nation in which the idea of title XIV in this bill, which is the bill that deals with border security, has been expanded with information that is simply inaccurate. Montana, for example, has a 545-mile border with Canada. It has different issues than the southern border—but it's not numbers—but it is remote, and who can cross that border illegally is significant.

The junior Senator from Montana actually asked the GAO to come up with a study on border security in the North, and the report was only 1 percent of the northern border is secure. That was his study that he wanted. Despite the fact that the Missoulian has warned about al-Qaeda plots in Montana, that the Border Patrol chief from Montana has begged some kind of action—indeed, this month the Border Patrol has sent out a warning of the use of terrorists who are talking about—chatter abusing wildfires as an area to distract so they can come in entrance, and one of the States they specifically mentioned was Montana.

Even though that is taking place, there is a campaign going on where this particular issue, border security, has been hijacked in the name of politics. And only because it is my idea that's being the center of this, I find that somewhat unusual, somewhat offensive. It is an effort to say that this effort to try to control our borders is related in some way to the PATRIOT Act or the REAL ID Act or, indeed, that it deals with some other element of expansion of power. Some people have gone as far as saying it is a land grab.

It is unusual to me that this concept of border security was presented in the Senate on an appropriations bill and was passed by a voice vote. Then the bill in which this amendment was placed was then passed by the Senate, and the junior Senator from Montana did not object to the voice vote and actually voted for it and now claims that this same idea is an expansion of government power, thus, something not work.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield myself 1 additional minute.

What I also found somewhat distressing is that in this campaign in Montana there is another group called Montana Hunters and Anglers, who, unfortunately, are simply a partisan hit group that are taking out ads directly against this particular provision and saying that other members in the delegation from Montana are supporting something that is wrong. Unfortunately, the members of that hit group have ties to Democrat organizations. The secretary is part of the Obama Committee in the State of Montana. The treasurer is a former Democratic staffer up there.

This group, the Montana Hunters and Anglers, are a faux group. The real supporters of this bill are people like the Montana Wool Growers Association, the Montana Association of State Grazing Districts, the Montana Public Lands Council, Montana Stock Growers Association. These are real groups, and they all support this particular provision and this particular bill because they realize the value of border security that takes place. They also realize what Secretary Napolitano recognized: that if you improve border security in the area by removing violators from public lands—those are the people that destroy things—the land value is enhanced. It is better for Border Patrol if they have enhanced ability to control those particular borders.

I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman is advised that he has 1½ minutes remaining, and the gentlewoman from New York has 6½ minutes remaining.

□ 1320

Ms. SLAUGHTER. Madam Speaker, I yield 1 minute to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank the gentlelady. And in response to my friend from Utah, I want to quote the MOU specifically. It says:

> Nothing in this MOU is intended to prevent CBP-BP agents from exercising existing exigent/emergency authorities to access lands, including authority to conduct motorized off-road pursuit of suspected CBVs at any time.

And it goes on to say in wilderness and wilderness study areas, and all different areas.

In fact, the committee had a hearing on this very topic. There were three instances cited by Chairman BISHOP on this, and it was determined that those were incorrect interpretations of this existing MOU by local managers, and it would be addressed through the command structure. So again, a solution in search of a problem.

We all want to address the problem of illegal immigration in this country, but that problem cannot be characterized as illegal immigrants fleeing into the wilderness. It simply isn't the problem. If there are suspects of any type of criminal nature fleeing into wilderness and there is law enforcement in hot pursuit, they continue; they continue, and they don't stop. If they stop, they'll be in trouble with their superiors, and we'll work it out through the command change.

Mr. BISHOP of Utah. I reserve the balance of my time to close.

Ms. SLAUGHTER. Madam Speaker, I yield myself the balance of my time.

In closing, we have wasted yet another opportunity to pass some bipartisan legislation here. Everybody

knows this bill is not going to be taken up in the Senate, so it's again a day and a half of exercise in some kind of procedure by the House of Representatives. By combining worthwhile proposals with extreme and partisan proposals, they've continued to move forward with an ineffective and unnecessary partisan agenda.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. In my last minute, Madam Speaker, there are a couple of things I would like to say. First of all, I appreciate the words that were read. Unfortunately, reality is different. One of the reasons why this particular provision is supported by the Border Patrol Union as well as the Association of Retired Border Patrol Agents, reality is sometimes different than what we think it should be. And I also have a list of three pages worth of groups who support not only this provision but the other 13 provisions.

I must in closing, though, bid the apology of the gentlelady of New York for one thing. One of the former Parliamentarians wrote a book and said when we put C–SPAN cameras in here, everyone started to read their speeches, and our debates became extremely dull. That's true. But when you read something, you don't make a misstatement. I did. I did a couple. My amendment does not reduce it from 36 down to 12; it reduces it from 36 to 16. I also used the ''disingenuine'' in talking about the gentlelady's remarks. That was the wrong word. That was, indeed, the word I said, but it is not what I meant to say, and I apologize for saying that. That goes over the line of comity and I'm sorry, and I just want you to know that I apologize for ''oopsing.'' That should only be done by Governors, not by Members of Congress.

Madam Speaker, in conclusion, each of these bills in here has been heard by the committee of jurisdiction. It's had a hearing. It's had a markup. The difference between this and other bills that we have seen in the past is that everything had to go through regular order first. Nothing was included in this rule that had not gone through regular order through this particular committee.

It's a good bill. It's a good rule. It's a fair rule, and I urge its adoption.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 688 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 3596) to require a publicly available list of all employers that relocate a call center overseas and to make such companies ineligible for Federal grants or guaranteed loans and to require disclosure of the physical location of business agents engaging in customer service communications. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for the electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 238, nays 178, not voting 15, as follows:

[Roll No. 381]

YEAS—238

Adams	Bishop (UT)	Canseco
Aderholt	Black	Cantor
Akin	Blackburn	Capito
Alexander	Bonner	Carter
Altmire	Bono Mack	Cassidy
Amash	Boren	Chabot
Amodei	Boustany	Chaffetz
Austria	Brady (TX)	Coble
Bachmann	Brooks	Coffman (CO)
Barletta	Broun (GA)	Cole
Bartlett	Buchanan	Conaway
Barton (TX)	Bucshon	Cravaack
Bass (NH)	Buerkle	Crawford
Benishek	Burgess	Crenshaw
Berg	Burton (IN)	Culberson
Biggert	Calvert	Davis (KY)
Bilbray	Camp	Denham
Bilirakis	Campbell	Dent

DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—178

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Bachus
Cardoza
Carson (IN)
Crowley
Griffin (AR)
Holden
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Lewis (GA)
Miller (FL)
Nugent
Sánchez, Linda T.
Towns
Young (FL)

□ 1350

Messrs. HINOJOSA, ELLISON, McNERNEY, and CLYBURN changed their vote from ''yea'' to ''nay.''

Mr. LoBIONDO changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 13, 2012.

Hon. JOHN BOEHNER,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Ms. Amy B. Chan, State Election Director, Office of the Secretary of State, State of Arizona, indicating that, according to the unofficial returns of the Special Election held June 12, 2012, the Honorable Ron Barber was elected Representative to Congress for the Eighth Congressional District, State of Arizona.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

KEN BENNETT, SECRETARY OF STATE,
STATE OF ARIZONA,
Phoenix, AZ, June 13, 2012.

Hon. KAREN L. HAAS,
Clerk, U.S. House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 12, 2012, for Representative in Congress from the Eighth Congressional District of Arizona, show that Ron Barber received 101,559 or 52.02 percent of the total number of votes cast for that office.

It would appear from these unofficial results that Ron Barber was elected as Representative in Congress from the Eighth Congressional District of Arizona.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all counties involved and the election has been officially canvassed, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

AMY B. CHAN,
State Election Director.

SWEARING IN OF THE HONORABLE RON BARBER, OF ARIZONA, AS A MEMBER OF THE HOUSE

Mr. PASTOR of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona, the Honorable RON BARBER, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER. Will Representative-elect BARBER and the members of the Arizona delegation present themselves in the well.

All Members will rise and Representative-elect BARBER will please raise his right hand.

Mr. BARBER appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 112th Congress.

WELCOMING THE HONORABLE RON BARBER TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Arizona (Mr. PASTOR) is recognized for 1 minute.

There was no objection.

(Mr. PASTOR of Arizona asked and was given permission to revise and extend his remarks.)

Mr. PASTOR of Arizona. Mr. Speaker, the world sometimes leads us down strange and troubling paths, and the fact that we are gathered today swearing in a new Member of Congress into the most deliberative body in the world is a tribute to our former colleague Gabby Giffords. It is a tribute to the resilience of the people of Arizona, a tribute to our strong and fruitful democracy that has continually endured hard and challenging times, and it is a tribute to our new colleague, RON BARBER.

So it is with great pride and renewed zeal for the strength of the American

people and for our system of governing that I introduce our newest colleague, Congressman RON BARBER.

I have gotten to know RON better over the last few months, and there is no one who will work harder to make sure that the people of the Eighth District are treated fairly, with dignity and with honor.

RON and his wife, Nancy, have dedicated their lives to southern Arizona. They have run a business for more than 30-some-odd years, a business that helps young parents provide for their own children. They've raised their two daughters, Jenny and Crissi, right here at home in Tucson. They are watching their four grandchildren grow up in Tucson.

But RON also wanted to do more for his community, so he spent 30 years with the Arizona Division of Developmental Disabilities, where he worked countless hours helping people with disabilities get out of government-run institutions and back into their communities, fully employed, contributing to their society, and living with their families. His service then expanded beyond those with disabilities, becoming Gabby's district director and coordinating all her efforts to assist her constituents experiencing personal problems with the Federal Government. And now these same people are RON's constituents.

Welcome to the House, RON BARBER.

Mr. Speaker, I would like to yield to my distinguished colleague, JEFF FLAKE.

Mr. FLAKE. I thank the gentleman for yielding.

On behalf of the Republican members of the Arizona delegation, welcome, RON BARBER. We are glad to have you here.

Nobody would have wished for the circumstances that made this seat vacant. We all miss our colleague Gabby Giffords, but it was her wish that you fill this seat for the remainder of her term. She got her wish as was the wish of so many Arizonans. Those of us who have worked with your office, with the capable staff during this trying time, have been very impressed with your commitment to the State of Arizona, and that commitment will now continue with your being a Member of Congress.

We welcome you here.

Mr. PASTOR of Arizona. Mr. Speaker, it is now with great pride that I yield to our distinguished new Member, Congressman RON BARBER.

The SPEAKER. The gentleman from Arizona is recognized.

Mr. BARBER. Thank you, Mr. Speaker.

First of all, I would like to thank the Arizona delegation for that warm welcome—and all of you—for this amazing welcome on my first day here.

I also want to thank Speaker BOEHNER for his long and dedicated service to our country and for swearing me in today.

And to my family in the gallery and to my grandchildren who are here on the floor, thank you, all of you, my family, for your support and love, without which I would not be here today.

□ 1400

I have the most amazing family. I think everyone would say that, but I am very blessed to have them in my life, especially over this past year and a half. And to my high school sweetheart and wife, Nancy, I love you dearly and look forward to celebrating our 45th wedding anniversary tomorrow.

Mr. Speaker, I stand here on the floor of the House in the very spot where 5 months ago my friend and my predecessor, Congresswoman Gabrielle Giffords, bravely delivered her resignation from Congress. I want to thank the Congresswoman for her vision and leadership and the inspiration she continues to give to our country. Gabby, southern Arizona misses you dearly, and we cannot wait to have you home.

Today, as I begin my service in this, the people's House, I'm mindful that the stakes for our Nation are very high. They are too high not to set aside political division in favor of seeking common ground, too high to use our words as weapons, too high to think of those with whom we disagree as villains. As an Arizonan, I look to the example of Congressman Mo Udall and Senator Barry Goldwater, two leaders in their respective parties who disagreed much, but did so without being disagreeable. They came together many times to do what was right for their State and their country. I'm going to approach my work for the people of southern Arizona with an eye not toward partisan victory, but toward American achievement.

We as a country have much to achieve. We must protect middle class families at a time when our middle class is slowly disappearing. We must honor our veterans and military families by ensuring that the more than 100,000 veterans I represent in southern Arizona and every other American veteran and servicemember receives the services and benefits they have earned.

We must ensure the dignity and health of every American senior in retirement. We must secure our border so that border residents are safe on their land, and impede the flow of drugs into our communities and the illegal drug money out of our country. And we must create jobs with innovative energy technologies, improvements in our essential infrastructure, and by supporting local small businesses to grow.

I look forward to working across party lines to achieve these goals for the good of my constituents and for all Americans.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Arizona, the whole number of the House is 433.

PROVIDING FOR CONSIDERATION OF H.R. 2578, CONSERVATION AND ECONOMIC GROWTH ACT

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 175, not voting 17, as follows:

[Roll No. 382]

AYES—240

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster

Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—175

Ackerman
Altmire
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
King (IA)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Andrews
Cardoza
Crowley
Frank (MA)
Griffin (AR)
Holden
Huizenga (MI)
Jackson (IL)
Kaptur
Lewis (CA)
Miller (FL)
Pingree (ME)
Sánchez, Linda T.
Sanchez, Loretta
Towns
Velázquez
Young (FL)

□ 1411

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. MCKINLEY. Mr. Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 4348.

The form of the motion is as follows:

Mr. McKinley moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to insist on the provisions contained in title V of the House bill (relating to coal combustion residuals).

REMOVAL OF NAME OF MEMBERS AS COSPONSORS OF H.R. 3238

Mr. PASCRELL. I ask unanimous consent to remove Congressman HAROLD ROGERS and Congressman RICK BERG from H.R. 3238.

The SPEAKER pro tempore (Mr. AMODEI). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CONSERVATION AND ECONOMIC GROWTH ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 2578.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 688 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. 2578.

The Chair appoints the gentleman from New Hampshire (Mr. BASS) to preside over the Committee of the Whole.

□ 1415

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. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes, with Mr. BASS of New Hampshire in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 45 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, the Conservation and Economic Growth Act is aimed squarely at cutting government red tape and bureaucracy to boost local economic development and job creation. This legislation contains 14 commonsense bills from the House Natural Resources Committee, nearly all of which have received bipartisan support.

By solving problems and reducing red tape, this legislation will have a real impact on the people it affects. Among its many economic and job creation benefits, the bill will encourage tourism and recreation by ensuring public access to public lands. It will promote responsible use of our resources. It will protect the environment. It will secure Federal lands along our borders. And it promotes clean and renewable hydropower.

Month after month, Mr. Chairman, Republicans in Congress have been focused on encouraging and supporting new job creation. The House has passed over 30 job creation bills that sit in the Senate, where Democrat leaders have refused to take any action.

By reducing red tape, promoting American-made energy, and streamlining bureaucracy, we can start creating jobs for tens of millions of Americans who are looking for work. The Conservation and Economic Growth Act fits into this same job creation mold.

When it comes to the Environmental Protection Agency, the American public is well aware of the ability of this Federal agency to slow our economy with debilitating regulations. And when it comes to our Federal lands, which are predominated located in the Western part of the United States, there is plenty of bureaucracy and red tape to go around.

In that regard, there are four primary Federal land management agencies: the Bureau of Land Management; the Forest Service; the Fish & Wildlife Service; and the National Park Service. Combined, they manage over 600 million acres of Federal land and have over 60,000 Federal employees. Many of these Federal employees do important, helpful work. But there are many times when their actions or outdated Federal laws have a tremendous negative impact on their surrounding communities. But these Federal policies, restrictions, lawsuits, and the bureaucratic decisions can harm local economies and the public's ability to access public lands for the multiple uses for which these public lands were intended.

It doesn't have to take Federal spending or taxpayer money to solve these problems. It simply takes Congress making commonsense changes in laws and regulations to restore reasonableness, transparency, accountability, and, yes, Mr. Chairman, sometimes sanity to the actions of the Federal Government.

That is the purpose of this underlying legislation: to fix local and national problems caused by Federal red tape and policies that are harming the public and our economy throughout America. We will hear more specific information from the sponsors of these solutions during the debate this afternoon.

Mr. Chairman, this legislation also reflects the promises of House Republicans when they were elected as a new

majority in 2010. The Conservation and Economic Growth Act is an efficient way to uphold Republicans' commitment to an open and transparent House.

The text of the act has been online since last Tuesday and available for Members and the public to read now for a week. Each and every one of the 14 bills that is in this package has had a public hearing, has been open to amendment in the committee, has been voted on in the committee, and amendments will be debated and voted on here today by the full House.

Now, Mr. Chairman, this stands in stark contrast to the previous way of doing business, when we had monster omnibus bills that were forced through the House without any chance of amendment. In fact, one can compare this small 14-bill package that has undergone full public and legislative review with the 2009 monster omnibus lands bill enacted into law when the Democrats controlled both houses of Congress. The 2009 omnibus bill was over 1,200 pages in length, it cost $10 billion, and it contained over 170 bills, including 75 that had never been considered in the House.

□ 1420

Yet through all of this process, not one single amendment was allowed to be offered, and even the minority—the Republicans at that time—were denied an opportunity with the motion to recommit.

Well, those days of the monster omnibus are over. No longer will controversial bills that haven't seen the light of day be hidden deep inside a thousand-page bill. Since the start of this Congress, we reviewed bills one by one in the Natural Resources Committee. Each has had a public subcommittee hearing; and once the committee acts, the full House considers them in a transparent manner.

This bill, the underlying legislation we're dealing with, lives up to this standard. It is an antidote to the abusive processes of the past. It is a bite-sized package that can be easily read and today is getting a thorough debate on the House floor.

So now the House can act to approve this bill to roll back red tape, to restore some commonsense to solve problems, and to boost economic activity. This bill deserves bipartisan support, and I urge my colleagues to vote for its passage.

I reserve the balance of my time.

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

Mr. Chairman, ladies and gentlemen of the House, I rise in opposition to H.R. 2578.

Now, some of you may recall the old Rod Serling television show, ''The Twilight Zone.'' At the beginning of each episode, Serling would explain that viewers were ''about to enter another dimension—a dimension not only of sight and sound, but of mind, a journey into a wondrous land of imagination. Next stop, the Twilight Zone.''

Well, that is very much where we are this week on the House floor. We are truly entering another dimension—a wondrous land of paranoid imagination. Republicans call it the ''Operational Control Zone,'' but it is really the ''Drone Zone.''

Submitted for your consideration are the following facts:

This week, world leaders are gathering in Rio to deal with the threat of global warming. Meanwhile, the majority has us gathered here to address the threat sea lions pose to salmon. Right now, firefighters are working day and night to try to contain wildfires in forests in Colorado and New Mexico, and the majority has us working here to give away old-growth Alaskan forest.

We have just 2 weeks before the transportation authorization bill expires and student loan rates double. And what are we doing? We are spending an entire day on a piece of legislation that has zero chance of being enacted into law. It is a package of bad ideas that are largely irrelevant to the real issues facing our Nation.

Title I of this bill would flood part of a Wild and Scenic River. Title III is an earmark to an Alaskan Native corporation that will facilitate clear-cutting in the Tongass National Forest. Titles IV and V appear to create new parks, but include harmful provisions that would cripple the management of these parks. Title VII would authorize the death penalty for sea lions whose only crime is eating fish. Title X would overturn the protections for endangered turtles from being run over by off-road vehicles. Title XI would extend the practice of below-cost grazing on public lands—a bargain-basement discount for cattlemen all across this country not paying their fair share. Actually, being a type of Federal welfare for cattlemen. And unbelievably, title XIV would create a 100-mile ''drone zone'' along our northern and southern borders within which the Border Patrol could suspend 36 environmental laws and seize control of all public land management.

Let me spend a moment here talking about what I find to be the most offensive part of this legislation: title XIV. This is the national map. What the Republicans do here today is they take a 100-mile area all along the northern border of the United States and the southern border of the United States and they create a new area. And this new area is really a drone zone. The reason that it's a drone zone is that it allows for 36 health and safety and environmental laws to be overridden, and it would expand the area where the Department of Homeland Security could use drones for surveillance. It allows the Department of Homeland Security to shut down national parks at a moment's notice. So all of a sudden the Department of Homeland Security can start using drones in this area.

Now, when you add up all of the space that is now included, it is equal to the total area of California, Massachusetts, New Hampshire, and Connecticut combined, which will now be in this new special area that has the Department of Homeland Security determining where drones can be used. And as we know, that won't be just for ensuring environmental laws not being violated. They'll be over this whole area.

Now, if you take a look at this map, I understand why the gentleman from Utah introduced this bill. Utah is far away from the Republican drone zone. They're not within the hundred miles of the border of the Mexican or Canadian people. But what if you live in Maine? Nearly your entire State is in this drone zone. Want to go to Acadia National Park? Better check with the Department of Homeland Security and the Republicans first. Or Minnesota: maybe you want to take a trip up to the Boundary Waters. Better check with the Department of Homeland Security and the Republicans first. Or Olympia National Park in Washington State: better check with the Department of Homeland Security or the Republicans first.

Want clean air in the drone zone? Better make sure the Department of Homeland Security and the Republicans haven't exempted the Clean Air Act. Want to drink some water after a long hike? Better make sure the Department of Homeland Security and the Republicans haven't waived the Safe Drinking Water Act.

Make no mistake, this isn't a bill that actually addresses America's immigration issues. Neither the Department of Homeland Security nor its Customs and Border Protection division support this bill. They don't want this authority, but the Republicans are insisting on giving them this authority—100 miles along the Mexican and Canadian borders.

The GOP's drone zone bill does not increase resources for border agents, but instead turns over our natural resources to the Department of Homeland Security. Passing this bill does not increase the number of Border Patrol agent boots on the ground. It just ignores the protections against trampling on sovereign and sacred ground like tribal grave sites. It does not look for a path toward citizenship. It tells families on vacation or a picnic that the Department of Homeland Security can kick you off a path at any moment.

Under this bill, ranchers and their cattle can be herded away by border agents, jeopardizing their entire ranching operation. Families and visitors to public parks can have their trips canceled. And the water, the air, and the land will be left unprotected.

Instead of working to pass a DREAM Act to help solve the immigration challenge, House Republicans instead want to create a nightmare scenario at our borders. That's why more than 50 Hispanic and Latino groups have joined with environmental organizations,

tribal groups, and organizations representing sportsmen and hunters to oppose the Republican drone zone bill. Fifty Hispanic and Latino groups opposing this bill.

We might be spending 4 hours here today on the House floor in a legislative twilight zone created by the majority considering a bill that isn't grounded in reality. But as we do, let us not forget that there are millions of Americans outside of this alternative reality who are trying to make ends meet, trying to keep their families together and safe, and hoping to maintain the environmental protections which make our country great.

I urge a ''no'' vote on this bill, and I reserve the balance of my time.

□ 1430

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 3 minutes to the gentleman from California (Mr. DENHAM), the primary sponsor of this legislation.

Mr. DENHAM. First, let me thank the chairman for not only allowing all of these bills to come up, but doing it in a very transparent fashion, allowing debate from both sides of the aisle and amendments from both sides of the aisle. This truly has been a transparent debate, giving the American public a chance to see exactly what we are doing here.

But let me talk about this unimaginable place that some of the extremists like to talk about. The unimaginable place I'm talking about is California's Central Valley, where you have twice the national average of unemployment, where some areas of the district are 30 to 40 percent unemployment. That's truly un-American, when you have a solution for Republicans and Democrats to come together, and yet you have some extremists who are willing to ignore putting people back to work. It is an unimaginable place, but one that both parties should take note of it, one that the President should not only take note of, but the President should actually come out and visit. Now the President likes to come to L.A. and San Francisco quite frequently. He's been there over a dozen times, but yet not once when Republicans and Democrats have invited him to come to the Central Valley and see the devastation, see the unimaginable place that this high unemployment leaves our community in. That's why you've got both Republicans and Democrats coming together and supporting this bill in a bipartisan fashion.

When the Merced Wild and Scenic River was designated, it encroached nearly half a mile into an Federal Energy Regulatory Commission operational boundary for New Exchequer Dam. Aligning the Merced Wild and Scenic River boundary with the standing FERC project boundary will allow FERC to considered MID's proposal to raise their spillway gates by just 10 feet. We're talking about 70,000 acre feet of water that'll create 840 jobs. Now, this is not the 5 to 6 million acre feet that we need, but it's a small step. But if the extremists cannot even support this small step where you've got Valley Republicans and Democrats coming together, the question is, what really is this unimaginable, un-American place that they talk about? We need thousands of jobs in the Central Valley. We need many more projects like this. We need Los Vaqueros, Exchequer. We need Temperance Flat. We need to raise Shasta in a fashion that Republicans and Democrats continue to agree on.

While some say that this will set a precedent for undoing Wild and Scenic designations, this area being discussed naturally—naturally—floods already, and it will impact less than 1 mile of the 122.5 miles of the Merced River. Again this is one small project. One desperately needed project, but one very small project in this unimaginable place.

Title I of H.R. 2578 is commonsense legislation that will allow for desperately needed storage; again, up to 70,000 acre feet, which has the potential for generation of an additional 10,000 megawatt hours of clean, renewable electricity. Why wouldn't we want clean, renewable electricity? Hydro is not necessarily the clean energy they like to talk about.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 1 minute.

Mr. DENHAM. This will also create increased recreational activity in the area and agricultural benefits.

Furthermore, if a Wild and Scenic River designation is made by congressional or administrative action, we should be able to adjust those boundaries, especially if it serves the greater good. Again, this is not the greater good that some like to talk about because they're not focused on American jobs. They're focused on a small set of criteria that they don't understand in our agricultural areas.

To not adjust the boundary because it has never been done before is an inadequate justification. Again, this is a bipartisan bill that has support on both sides of the aisle from Members of the Central Valley, and one that was open for public debate, was open for amendments. And again, I'd like to thank the chairman for having such a transparent process. I encourage Member support of H.R. 2578.

Mr. MARKEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the ranking member of the Subcommittee on Water and Power.

Mrs. NAPOLITANO. Mr. Chairman, I thank the ranking member on the committee for allowing me this time.

Mr. Chairman, I rise to speak in opposition to H.R. 2578, the Republican lands package. Specifically, I do oppose title XIV, which is H.R. 1565 of H.R. 2578, the National Security and Federal Lands Protection Act.

This legislation creates a 100-mile—as explained by Mr. MARKEY—from the north border and 100 miles from the south border inland. You might call it operational control, or if you want to call it drone zone, it still waives over 36 landmark laws to give Homeland Security complete operational control and immediate access to these lands.

Some of these 36 laws that would be suspended in all or part of the 18 States affected would include the Safe Drinking Water Act, the Clean Air Act, hazardous waste laws, tribal preservation law, Migratory Bird Treaty Act, and the National Park Service Organic Act. This legislation overreaches in waiving dozens of environmental laws disguised as a solution for immigration reform. Guess again.

I was born and raised in the border town of Brownsville, Texas. My hometown is within this Operational Control Zone, or drone zone, if you want to call it that. I am currently the ranking member of the Water and Power Subcommittee, with jurisdiction over the Bureau of Reclamation, and several of the projects owned and operated by Reclamation are in this drone zone. There is concern about how the projects could be managed or mismanaged and its impact in this zone.

Title XIV, which also includes Canada, would disrupt longstanding treaty agreements between the United States and Mexico, and again with Canada, on how we manage our water and power resources. And, of course, the drought planning for the Colorado River.

The projects are part of the Colorado River basin system, like Reclamation's Yuma desalting plant, and are also in the drone zone. One thousand miles of canal and related water delivery infrastructure that provides for a $5 billion economy—$5 billion for the States of Arizona and California—would be compromised as they are in this drone zone.

The proposed legislation will also impede Reclamation from meeting its mission requirements in water delivery obligations pursuant to the 1944 treaty between the U.S. and Mexico on the use of the Colorado and Tijuana rivers, and the Rio Grande. Title XIV also impacts the United States' ability to negotiate with Canada regarding the Columbia River. In fact, several projects of the Federal Columbia River power system in Washington State and Montana are in this operating zone. Water has no international boundary. This is a blatant attack on the environment, on the lives of American citizens, and it threatens their health and safety.

We strongly believe that compliance with laws and regulations is key to ensuring the rights of borderland landowners so rural communities are protected. Ensuring the security of America's borders is an important goal. This bill will not enhance our Nation's border security and will do great harm to our borders and our environment.

I urge my colleagues to vote against H.R. 2578. I have a list of 54 organizations in opposition, and I would like

just a moment to read some of them—my colleague has already mentioned the Latino organization:

Alaska Wilderness League; American Civil Liberties Union; BorderLinks; California Coastal Commission; Center for Biological Diversity; Citizens for a Safe and Secure Border; Citizens for Border Solution; Coastal States Organization; Cochise County Chapter Progressive Democrats of America; Defenders of Wildlife; Earthjustice; Equality Alliance of San Diego County; Escondido Human Rights Committee; Green Valley Samaritans; Klamath Forest Alliance; Labor Council for Latin American Advancement; League of Conservation Voters; Hispanic National Bar Association; National Estuarine Research Reserve Association; National Parks Conservation Association; National Resources Defense Council; No More Deaths Tucson; Northern Alaska Environmental Center; San Diego Foundation for Change; Southern Border Communities Coalition; and the list goes on.

ENVIRONMENTAL AND LATINO ORGANIZATIONS OPPOSING TITLE XIV, H.R. 1505, THE NATIONAL SECURITY AND FEDERAL LANDS PROTECTION ACT

1. Alaska Wilderness League
2. American Civil Liberties Union
3. BorderLinks
4. California Coastal Commission
5. Center for Biological Diversity
6. Citizens for a Safe and Secure Border
7. Citizens for Border Solutions
8. Coastal States Organization
9. Cochise County Chapter Progressive Democrats of America
10. Defenders of Wildlife
11. Earthjustice
12. Equality Alliance of San Diego County
13. Escondido Human Rights Committee
14. Green Valley Samaritans
15. Hispanic Access Foundation
16. Hispanic Association of Colleges and Universities
17. Hispanic Federation
18. Hispanic National Bar Association
19. Klamath Forest Alliance
20. Labor Council for Latin American Advancement
21. Latino and Latina Roundtable of the San Gabriel and Pomona Valley
22. League of Conservation Voters
23. League of United Latin American Citizens
24. National Association of Hispanic Federal Executives
25. National Association of Hispanic Publications
26. National Association of Latin American and Caribbean Communities
27. National Conference of Puerto Rican Women
28. National Council of La Raza
29. National Estuarine Research Reserve Association
30. National Hispanic Association of Colleges and Universities
31. National Hispanic Coalition on Aging
32. National Hispanic Environmental Council
33. National Hispanic Medical Association
34. National Institute for Latino Policy
35. National Latino Coalition on Climate Change
36. National Parks Conservation Association
37. Natural Resources Defense Council
38. No More Deaths—Tucson
39. Northern Alaska Environmental Center
40. San Diego Foundation for Change
41. School Sisters of Notre Dame, Douglas, AZ
42. Southern Border Communities Coalition
43. Southern Border Communities Coalition, Arizona Chapter
44. Southwest Voter Registration and Education Project
45. St. Regis Mohawk Tribe
46. Texas Border Coalition
47. The Sierra Club
48. The Wilderness Society
49. Tucson Samaritans
50. U.S. Hispanic Leadership Institute
51. United States-Mexico Chamber of Commerce
52. Vet Voices
53. Voces Verdes
54. Western Environmental Law Center

□ 1440

Mr. HASTINGS of Washington. Mr. Chairman, just to correct the record, there is nothing in this bill that affects the Bureau of Reclamation or the hydro-dams on the Columbia River in my district.

I'm very pleased right now to yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), who is the author of title III of this bill.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of H.R. 2578. I'm primarily interested in the Sealaska provision. It's very important to understand something: the Alaska Tongass National Forest is 17 million acres of land. We're asking for 77,000 acres of land to be transferred to the Sealaska Corporation that has already been cut.

There is no old-growth timber involved in this. It gets Sealaska away from sensitive areas, including municipal watersheds, and onto areas already zoned for timber management on a road system. The exchange lands are near Native villages on Prince of Wales Island where unemployment is about 25 percent.

This bill supports the Forest Service by making Sealaska timberlands more accessible to rural and mostly Native communities, where unemployment is above 25 percent. Sealaska's land base will then support a sustainable timber rotation in perpetuity.

This bill affects approximately 77,000 acres in the 17 million-acre Tongass forest. It's already protected by designation, so it cannot be harvested.

Sealaska and its contractors combined make up the largest for-profit sector employer in southeast Alaska, providing over 360 jobs. Including direct and indirect payroll, it's almost 500 jobs.

This bill also finalizes Sealaska's Native land claim rights passed in 1971, and it does not entitle the Natives to an acre above what the 1971 Native Claims Settlement this Congress passed that limits it to them.

H.R. 2578 supports timber jobs while conserving environmentally sensitive lands in community watersheds. Failure to pass this bill may spell the end of Sealaska's timber program as early as 2012 and the loss of timber jobs in an Alaska private industry that's decreased 90 percent since 1990 because of action of this Congress when they passed the Alaska National Lands Act and put most of the land off limits.

Because the Forest Service is either unwilling or unable to offer an adequate timber supply in southeast Alaska, the remaining industry relies on Sealaska timber. The Alaska Forest Association testified:

AFA strongly supports the passage of H.R. 2578 without delay. Passage of this bill is critical to the future of our remaining industry.

Most importantly, the bill finalizes the land claim settlement for 20,000 Alaska Native jobs in southeast Alaska.

Now, Mr. Speaker, I'd like to go to the ''Bull Dip'' awards, the Bull Dip awards for information put out on this legislation. We're talking about 77,000 acres that have already been cut. The Bull Dip award goes to those people who say there's transfer of over 50,000 miles of road. There may be 5,000 miles' worth, maybe 500 miles of road, but it's already roads that have been built on acreage that has already been harvested.

The other area of the Bull Dip award is the fact that the road will not be accessible to public use. It will be used for public use. There are no restrictions, not any action that will be taken to prohibit anybody from choosing these lands or moving on these lands.

All I'm asking today is give—an action of this Congress in 1971—the right to the Native people to land that's not old-growth timber.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 1 minute.

Mr. YOUNG of Alaska. It's not old-growth timber. This is land that's already been cut over, but they want to use it like Silviculture, growing timber forever, not like the Forest Service now, keeping old timber not cut. This is the right thing to do.

The idea that we would have people sending out propaganda—I know there's an outfit called Red States saying this is going to cost the Federal Government money and it's a giveaway. It's strange that that same operation doesn't like the Federal Government. I'm asking that this Federal land that's already been harvested over be given to the Alaska Native people, as they should have it. And they're trying to stay away from the old-growth timber. That's what they're trying to do. If I was doing it myself, I'd cut the old-growth timber; it's dying anyway. But nobody wants to do it; they don't recognize it.

I sat on this floor and watched the Alaska National Lands Act under GEORGE MILLER, my good friend, say: don't worry, we'll have a timber industry. We've lost 15,000 jobs in southeast

Alaska—high-paying jobs—because of the so-called ''environmental movement.'' That does not make sense. That does not make sense for America. This is a renewable resource that should be utilized correctly. Let's pass this legislation.

Mr. MARKEY. Mr. Chairman, I yield 4 minutes to the gentlelady from the State of Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in opposition to this bill, which would result in the Tongass National Forest in Alaska, our Nation's largest and wildest national forest, being opened to additional logging. At 17 million acres—roughly the size of West Virginia—the Tongass is the crown jewel of our forest system.

Mr. YOUNG of Alaska. Will the gentlelady yield?

Ms. DELAURO. I would love to do that, dear colleague, but I can't. I need to be back in Appropriations.

Mr. YOUNG of Alaska. Seventeen million acres are set aside already.

The CHAIR. The gentlewoman from Connecticut controls the time.

Ms. DELAURO. If the gentleman would just back off. Okay?

At 17 million acres—roughly the size of West Virginia—the Tongass is the crown jewel of our forest system. Along with the Chugach National Forest in Alaska, it boasts the world's most intact temperate rainforest, with centuries-old trees providing critical habitat for wolves, grizzly bears, wild salmon, bald eagles and other wildlife. The Tongass is also a vital piece of the tourism industry in Alaska, allowing visitors from around the world to take in a true environmental spectacle.

I have experienced the beauty of the Tongass firsthand when I got to travel through the forest on an old Navy minesweeper 10 years ago. It's hard to imagine why anyone would want to spoil such a perfect example of nature's magnificence, but the bill before us would do exactly that. It removes 100,000 acres of some of the most used and visited lands in southeast Alaska from public ownership and gives them to the Sealaska Corporation, who plans to clear-cut the vast majority of its land selections for timber. This is approximately 20,000 acres over Sealaska's legal entitlement under the Alaska Native Claims Settlement of 1971.

With 290,000 acres of land and an additional 560,000 acres of subsurface rights, Sealaska is already the largest private landholder in southeast Alaska. And after three decades of extensive and intensive logging, they have left a legacy of expansive clear-cuts of the lands they already own. If this bill passes, they will do the same to some of the most biologically and culturally valuable lands within the Tongass.

Over the last 50 years, this national forest has already lost 550,000 acres of old-growth trees and been marked by 5,000 miles of logging roads. This bill further threatens what is left of this national forest. It also endangers the economy of southeast Alaska by privatizing lands and waters that are used by guides and commercial fishermen, industries that employ over 17,000 men and women, 20 percent of the Alaskans in the region.

The Forest Service currently manages these lands for multiple uses and has announced a transition plan to ensure a sustainable future for the Tongass. We should not deliver this national treasure—and one of Alaska's most substantial tourism draws—over solely to one private corporation for timber rights.

I urge my colleagues to protect the Tongass for generations of Americans to come and to vote against this amendment.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would remind Members to address their remarks to the Chair.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the author of title XIV, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, the minority insists that we are creating some sort of drone zone in title XIV. Now, I understand the intent of that is to muddy the waters on what is otherwise a very clear issue. Can I tell you, I like that phrase, I'm going to use it in the future, but it is also as cute as it is totally inaccurate.

Members should understand that this title specifically and intentionally deals with Federal lands on the northern and southern borders. It does not include private property. The use of the size characteristics are as cute as they are inaccurate.

The legislation does not expand the current reach of the Border Patrol. The Border Patrol already has enforcement authority out to 100 miles today. That's why the 100-mile figure is in there.

The gentleman is also late in his authorization of drones. The use of drones is not authorized by this legislation. The fact is the Border Patrol already uses drones, regardless of what the Federal or the land designation happens to be. With passage of this title and this bill, the impact on drone use will be zero. Whether you support drones or are concerned with drones, this bill doesn't address it. Once again, it's cute as it is inaccurate.

This legislation does not increase or create new enforcement authority. It does not limit constitutional rights. The only source of this bill, this title, is to allow the Border Patrol to have on Federal property the same rights they exercise on State and private property.

□ 1450

These lands will still be managed and administered by the Departments of Interior and Agriculture, but border security will no longer be a second to the whims of Federal land managers. It becomes the priority.

The idea of rounding up cattle by the Border Patrol is as cute as it is inaccurate, but I am going to use it because it's cute.

This bill specifically protects legal uses, including recreation, and specifically prohibits the Border Patrol from limiting public access.

Now, some people have said on the other side they object to this operational control of these areas by the Border Patrol.

What does ''operational control'' mean? It's in the title. It is to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics and other contraband through the international land borders with the United States.

You're actually opposed to that? You're opposed to doing that? You're opposed to actually allowing our Border Patrol to make sure that is the purpose and that is what is happening?

This bill is about giving the Border Patrol access to Federal lands so they can do their Federal responsibility instead of being prohibited from fulfilling their Federal responsibility by certain Federal regulations. That's silly. That's wrong. It's cute, but it's also inaccurate.

Mr. MARKEY. I yield 5 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman very much.

This, as we have heard, is a package of bills dealing with lands, and it is as partisan as can be. I wish that we were working in a bipartisan way. We could have a real lands package that would go somewhere. We could have addressed preservation of open space. This is important all across the country.

I often hear from my colleague from Utah and others that, well, people in New Jersey don't have a lot of Federal lands. Let me tell you, this is important for people in New Jersey and every one of the other 49 States and in the territories of the United States. My constituents, who live in the most densely populated State in the Union, have demonstrated again and again their support for open space preservation, for fighting sprawl, for providing for their kids and their kids' kids with safe places to experience the outdoors.

This legislation does so many bad things I hardly know where to begin. It's another attempt to remove most of the protections of environmental laws. And as you've heard from the ranking member, Mr. MARKEY, it establishes an intrusive domestic security enforcement zone, a drone zone.

Call it cute if you want, but as the ranking member said, if you're going to go to Big Bend or Acadia or any of the other national parks that fall in this, you'd better pay attention. It will do nothing to make us more secure.

I could talk all day about the problems in this bill, but let me just focus on one. One reason that this bill is not going anywhere legislatively, because it is so extreme, is the controversial provision it contains on the brazen effort to give away part of the Tongass National Forest.

The Tongass National Forest is known as a crown jewel of the National Forest System. Encompassing 17 million acres in southeast Alaska's panhandle, it's the last remaining intact temperate rainforest. It's the only remnant of the temperate rainforests that used to stretch from Northern California to Prince William Sound. Only half of the very large old-growth tree stands that used to cover the Tongass remain, and even the second growth land is spectacular. The other side was talking about how, well, some of this is not first-growth forest and, therefore, it's okay to give away to spoil. Now over a million people throughout the country—really, throughout the world—visit the Tongass National Forest annually to view the forest virtually unspoiled.

The bill before us today transfers 100,000 acres of the best of the best lands in southeast Alaska to the Sealaska Corporation, including the fine salmon streams, the areas most visited, recreational sites and tourist sites, as well as subsistence sites. This bill gives public lands to a private company, which some might call an earmark. Well, whatever you call it, it's an unjustified giveaway.

And since we're speaking of lands, I'd like to point out that I have introduced legislation to help preserve battlefields from the American Revolution and the War of 1812, legislation based on and including a very successful program to preserve civil war battlefields. This legislation, my bill, passed out of committee unanimously. Why was this not included in this bill? We could have been more bipartisan.

My colleague, Mr. MARKEY, has gone through a long list and others have gone through a long list of the problems with this legislation. Suffice it to say, this is not about preserving lands for the long-term enjoyment and benefit of the American people.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Virginia (Mr. WITTMAN), the author of title XIII of this legislation.

Mr. WITTMAN. Mr. Chairman, today's a proud moment for Virginia and the entire Chesapeake Bay community as the House is poised to pass legislation to aid in the cleanup of one of the Nation's most prized historic natural resources, the Chesapeake Bay. This body of water provides habitat for plants and animals, and it is these resources that drive local economies, recreation, and a way of life for so many that live on and around its shores.

I rise in support of H.R. 2578, especially title XIII, the Chesapeake Bay Accountability and Recovery Act. I'm proud to author this measure, which receives broad support throughout the watershed. In fact, during the 111th Congress, the House passed similar legislation by a vote of 418–1.

These provisions would implement and strengthen management techniques to ensure we get more bang for our buck and are more aggressive in pursuing progress in bay restoration efforts. This bill will also ensure coordination of how restoration dollars are spent and that everyone understands how individual projects fit in the bigger picture in eliminating duplication and waste.

I urge my colleagues to support the health of the Chesapeake Bay, this provision, and H.R. 2578.

Mr. GRIJALVA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Nevada (Mr. AMODEI), the author of title IX of this bill.

Mr. AMODEI. Thank you to my colleague from the Evergreen State.

Twilight zone, partisan as can be, package of bad ideas for the Nation. Interesting phrases when you look at title IX.

Title IX is about 10,500 acres adjacent to the city of Yerington. This 10,500 acres is a known copper and iron ore deposit since about 1975. On this 10,000 acres and in title IX, you are seeing nothing that waives anything of environmental significance, not NEPA, not the National Historic Preservation Act.

The city's going to pay for the land. We're not giving it away. All the costs associated with transferring the land are to be borne, no cost to the government.

The District and State Bureau of Land Management offices were silent in terms of this proposal. There are no mining issues, cleanup issues, surface water, groundwater, environmental, none of those issues, none at all, abandoned mine sites.

And by the way, in this particular county, which is the leading county for unemployment in the State of Nevada, which I am sorry to inform you, we still lead the Nation in unemployment, this represents a transfer of less than 1 percent of Federal land in Lyon County.

□ 1500

So, when we talk about open space preservation, guess what? There is 99 percent left. Don't think you've got that one either.

Oh, by the way, there were some concerns about 90 days being too soon to transfer this, and there were some concerns about whether it was mandatory or not. Did you hear the part about 1975 known deposits? So you want to change the bill to ''if you feel like doing it, go ahead, and by the way, take as much time as you want''? No, thank you. No, thank you to ''if you feel like it, and take as much time as you want.''

So, when you hear about bad ideas for the Nation, this is about the responsible, multiple use of public resources that gores no one's environmental ox.

Oh, and here is another part that may be of significance: 800 jobs—no cost to the Federal Government. This is a State where there are loan guarantees for renewable energy to the tune of $1.5 billion, and we've got 136 jobs to show for it. Eight hundred jobs—no cost to the government.

When the Office of Management and Budget talks about ''they like to work through the community,'' I've got news for you: title IX is supported by everyone in the State of Nevada who has a voice as a shareholder in these. There hasn't been a single voice raised in opposition to this. By the way, they've been working on it for 4 years. So, if you think there's a problem with the appraisal process, did I mention it's going to be appraised for the value? There is nothing more transparent, nothing more responsible for land use that can be 800 jobs—oh, oh, and the average pay is about $75,000-plus per job. Did I say ''no cost to the government''? I'll quit saying that.

If you want to do something for the people of the State of Nevada, get behind this bill. I want to thank my Democratic colleagues who supported the bill in committee, and I look forward to their being advocates on the north side of the building.

Mr. GRIJALVA. Mr. Chairman, I inquire as to the time available.

The CHAIR. The gentleman from Arizona has 23½ minutes remaining. The gentleman from Washington has 24½ minutes remaining.

Mr. GRIJALVA. I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the author of title V of this bill, the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Chairman, I rise today in support of H.R. 2578. Title V of this bill incorporates my legislation, H.R. 1545, and would recognize and establish the Waco Mammoth Site as a national monument.

In 1978, Waco residents Paul Barron and Eddie Bufkin were out looking for arrowheads and fossils along the Bosque River. During their journey, they happened to come across a large bone protruding from the Earth. Realizing the possible significance of this discovery, Mr. Barron and Mr. Bufkin immediately took the bone to the Strecker Museum at Baylor University for further analysis.

Over a period of nearly 30 years following their discovery, crews of paleontological and archaeological experts, scientists, and volunteers slowly excavated this lost world, eventually unearthing more than two-dozen mammoths and other artifacts. In 2006, the Waco Mammoth Foundation, a nonprofit organization of local citizens, helped make the site a public park. The city of Waco and Baylor University have been working together since to protect the site and to develop further research and educational opportunities at the site.

This legislation will recognize the unique discovery of an extinct species while providing education and enjoyment for families and students visiting from all over the country and throughout the world while benefiting future generations for many years to come.

A special resource study on the Waco Mammoth Site was conducted by the National Park Service and was completed in 2008. This study concluded that the site possesses national significant resources, is a suitable addition to the system, and would be a feasible addition to the system. The study cites an appropriateness to investigate a partnership arrangement between the city of Waco, Baylor University, and NPS. Given our current fiscal situation, the legislation included in this title has been drafted to provide the national recognition that the site deserves without its adding additional burdens to the Federal budget or to the backlog at NPS.

I urge my colleagues to support this bill, which will establish the Waco Mammoth National Monument and give this Central Texas treasure the national recognition it deserves, all at no cost to hardworking American taxpayers.

CITY OF WACO,
OFFICE OF THE MAYOR,
Waco, TX, June 12, 2012.

Re H.R. 1545.

Congressman BILL FLORES,
Longworth HOB, Washington, DC.

DEAR CONGRESSMAN FLORES: We respectfully request your support on H.R. 1545 designating the Waco Mammoth Site as a National Monument. A special Resource Study was completed on the Waco Mammoth Site in July 2008 which clearly concluded that the site meets all four criteria necessary to be added to the National Park system. To date we have raised more than $4.4 million locally to construct a climate controlled protective structure for the in situ remains along with associated infrastructure to allow for visitation by the public. We also have formed the Waco Mammoth Foundation as formal partnership between the City of Waco and Baylor University along with an active friends group for fund raising activities.

There will be no cost to the Federal Government for the transfer of this five acre site with its improvements from the City of Waco to the National Park Services (NPS). Support of the Waco Mammoth Site will not be a drain on federal funding. It will provide national attention to a national treasure. If the site receives national recognition, we would desire a management and operations partnership be developed with the NPS, the City, and Baylor. This anticipated partnership would capitalize on the strengths of each of the participating groups and ensure that the Waco Mammoth Site would receive the same protections and operate under the same guidance required of all other units of the NPS.

Your favorable support on H. R. 1545 will be greatly appreciated.

Sincerely,

MALCOLM DUNCAN, Jr.,
Mayor.

Mr. GRIJALVA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. I am pleased to yield 3 minutes to the gentleman from Idaho (Mr. LABRADOR), who is the author of title XI of this bill.

Mr. LABRADOR. I rise in support of title XI, the Grazing Improvement Act of 2012.

Livestock grazing is an important part of the rich ranching tradition in America. One need look no further than at the iconic images of cowboys driving huge herds of cattle across open land to realize how big a part ranching has played in American history. Today, my home state of Idaho produces some of the world's finest-tasting lamb and beef, which makes its way to dinner tables across America and as far away as Korea. Food production is a major part of Idaho's history and is an integral part of our cultural fabric and our economic security. These traditions are under attack, and we must preserve them for future generations.

Ranchers are proud stewards of the land. Their reputations and financial security depend on this basic fact. Yet, the process to review the very permits which allow them to produce food has become severely backlogged due to lawsuits aimed at eliminating livestock from public lands. The local Federal land managing office, staffed by fine men and women, cannot keep up with the pace of litigation and the endless environmental analysis. This diverts the already limited resources from these offices and leaves ranchers at risk of losing their grazing permits and of jeopardizing their livelihoods.

Agriculture is a difficult way to make a living, but producers choose this path because it is their livelihood, their passion, and their way of life. When my constituent, Owyhee County rancher Brenda Richards, testified in March on behalf of H.R. 4234, she talked not just about the efficiencies the bill would bring to the overall system, providing cost savings to taxpayers, but she passionately expressed the unstable situation facing ranchers like her: 78 percent of Owyhee County is public land, making local ranchers and the county economy dependent on reliable, yet responsible, access to public land forage.

According to Richards, ranchers not only face uncertainty each year about whether permits will be renewed, but they are also being threatened with new bureaucratic red tape when it comes to crossing and trailing their animals across public lands. Radical special interest litigants have driven the agencies to consider this low-impact activity a ''major agency action'' that requires full environmental analysis under NEPA.

The Grazing Improvement Act of 2012 would accomplish three important goals. First, it extends livestock grazing permits from 10 to 20 years in order to give producers adequate stability. Second, it reduces the workload on overburdened Federal land managers at the local level, and it allows them to get out into the field, which is where they belong. Finally, the legislation includes bipartisan language to encourage land managers to use existing tools in order to expedite permit processing.

We can be good stewards of our land and resources without hurting American ranchers. We must alleviate the problems caused by a tedious bureaucratic process that was created only to respond to the litigious environmental agenda. We can no longer allow the Federal Government to maintain an enormous backlog in processing grazing permits. My legislation aims to ensure grazing certainty and stability for America's livestock producers. Our ranchers depend upon it.

I urge my colleagues to support this commonsense legislation.

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

I wanted to talk, and maybe list, so that the American people and the Members of Congress understand the scope and the depth of H.R. 2578, in particular, title XIV: National Park Service Units within 100 Miles of the U.S.-Mexico and U.S.-Canadian Borders. There are 54 National Park Service units and 11 National Park Service wilderness areas:

Acadia National Park; Amistad National Recreation Area; Apostle Islands National Lakeshore-Gaylord Nelson Wilderness; Big Bend National Park; Cabrillo National Monument; Carlsbad Caverns National Park-Carlsbad Caverns Wilderness; Casa Grande Ruins National Monument; Chamizal National Memorial; Chiricahua National Monument-Chiricahua Wilderness; Coronado National Memorial; Isle Royale National Park-Isle Royale Wilderness; James A. Garfield National Historic Site; Joshua Tree National Park; Keweenaw National Historical Park; Klondike Gold Rush National Historical Park; Lake Chelan National Recreation Area; Lake Roosevelt National Recreation Area; Marsh-Billings-Rockefeller National Historic Park; Nez Perce National Historical Park; North Cascades National Park-Stephen Mather Wilderness; Olympic National Park-Olympic Wilderness; Organ Pipe Cactus National Monument; Organ Pipe Wilderness; Padre Island National Seashore; Palo Alto Battlefield National Historical Park; Perry's Victory and International Peace Memorial; Pictured Rocks National Lakeshore; River Raisin National Battlefield Park; Ross Lake National Recreation Area; Saguaro National Park-Saguaro Wilderness; St. Croix Island International Historic Site; San Juan Island National Historical Park; Theodore Roosevelt Inaugural National Historic Site; Theodore Roosevelt National Park; Tumacacori National Historical Park; Voyageurs National Park; White Sands National Monument; Women's Rights National Historical Park; Wrangell-St. Elias National Park; Wrangell-St. Elias National Preserve; Yukon-Charley Rivers National Preserve.

□ 1510

I list those because turning these shared treasures of the American people from the land managers that provide the access, the interpretation, and the multiuse mandate to these areas to an agency like Homeland Security with no expertise, no track record, no history, and giving them carte blanche, almost czar-like control over these valuable legacy parks of our Nation, is one of the reasons that we have 66 organizations—environmental, Latino, and consumer organizations—opposed to the legislation and opposed in particular to title XIV.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 4 minutes to the gentleman from Texas (Mr. CANSECO), who is the author of title IV of this bill.

Mr. CANSECO. Mr. Chairman, I want to thank the chairman, Mr. HASTINGS, the park subcommittee chairman, Mr. BISHOP, and the staff of the Natural Resources Committee for working with me to move my legislation, the San Antonio Missions National Historical Park Boundary Expansion Act, through the committee and have it included as part of the bill before us.

Would the chairman enter into a brief colloquy with me?

Mr. HASTINGS of Washington. Yes.

Mr. CANSECO. Is it the chairman's understanding that, after adoption of the manager's amendment, the bill contains reforms that would only allow for lands to come into the park via donation or exchange, and that these reforms apply only to the land coming into the park boundary as a result of the legislation before us?

Mr. HASTINGS of Washington. The gentleman is correct, with the adoption of the manager's amendment.

Mr. CANSECO. Thank you, Mr. Chairman.

I'm pleased to rise in support of the underlying legislation which contains my legislation, the San Antonio Missions National Historical Park Boundary Expansion Act, which I introduced with the entire Bexar County, Texas delegation.

In efforts to settle North America, the English founded Jamestown, Plymouth Rock, and other colonial settlements that schoolchildren learn about in U.S. history classes. The Spanish took a very different approach in their efforts to settle their possessions in North America. Instead of sending ships full of families to found new towns, the Spanish sent Franciscan priests to establish missions. At the missions, the Spanish priests would bring local Native Americans to live at the mission, teach them farming, educate them, and ultimately convert them to Christianity.

The San Antonio Missions National Historical Park is an important asset to the community in San Antonio, Texas, and one of our Nation's historic treasures. The San Antonio Missions National Historical Park is comprised of four mission churches: Mission Concepcion, Mission San Jose, Mission San Juan, and Mission Espada.

Adjusting the boundaries of the San Antonio Missions National Historical Park is absolutely critical to protecting these treasures and allowing the park to continue thriving and further enhance the visitors' experience. It is also a critical part of the redevelopment taking place on the south side of San Antonio.

A recent study found that the San Antonio Missions National Historical Park supported over 1,000 local jobs and almost $100 million in economic activity. This boundary adjustment will help reconnect the missions to the San Antonio River, where the Mission Reach Project is taking place to extend to the south side the economic prosperity and job opportunities enjoyed in other parts of San Antonio. Such redevelopment will allow for significant job and economic opportunities that currently do not exist in parts of San Antonio.

The San Antonio missions are important to the Nation in that they help visitors understand the history of our Nation, its diverse origins, as well as the history of San Antonio and the history of Texas. I would also add that the four missions that comprise the San Antonio Missions National Historical Park are still functioning parish churches, continuing to fulfill the role in the San Antonio community for which they were founded almost 300 years ago.

The San Antonio missions are just as important to understanding the story and the history of America as other historic places like Jamestown, Independence Hall, or Mount Vernon, and this legislation will help protect and preserve them for future generations of Americans to enjoy, all the while helping to create jobs and economic opportunity on the south side of San Antonio.

Mr. GRIJALVA. I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ), who is the author of title II of this bill.

Mr. CHAFFETZ. I want to thank Chairman HASTINGS, my colleague, the chairman of the subcommittee, Mr. BISHOP, for his support in this bill that we introduced, the section that will be included in this bill dealing with the Diamond Fork System.

In Utah, we're blessed to live in one of the most beautiful parts of the word. We're also one of the fastest growing States in the Nation.

The Diamond Fork System, which is included as part of the Central Utah Project, has the capacity to generate up to 50 megawatts of hydroelectric power. Currently, thousands of acre-feet of water flow through the Diamond Fork System through tunnels, pipes, and canals each and every second. This water is necessarily slowed through energy dissipaters as they travel from Strawberry Reservoir to the Wasatch Front. This bill would allow those dissipaters to be easily converted into turbines, thus being able to generate the necessary energy that we need along the Wasatch Front.

The purpose of this bill, which has been included in H.R. 2578, is to waive the unrecoverable sunk cost payment requirements that are inhibiting development of the hydropower at a Bureau of Reclamation facility in Utah. Existing Department of the Interior regulation inhibits hydropower development on the Diamond Fork unit. If the sunk cost recovery requirement is waived, the project will go forward, thus being able to yield the following benefits:

The Treasury is expected, according to the CBO, to get $2 million in revenue over 10 years that it otherwise would not have received. Let me repeat this. This is a net increase to the revenues to the Treasury. It is not an expense to the United States Treasury. In fact, if we don't pass this bill, we won't be able to recover some of those sunk costs. So the net increase to the revenue to the Treasury will go up.

Energy consumers in my district—which this is so desperately needed—will get up to 50 megawatts of new power. And the environmental benefits of this energy are numerous, given that it's clean and it's renewable.

I would also like to remind my colleagues that this bill passed the previous Congress through a voice vote. We introduced this in a bipartisan way. We have Democrats who sponsored this bill as well as Republicans.

With that, I encourage its passage.

□ 1520

Mr. GRIJALVA. I think the purpose of title XIV of H.R. 2578 is not to make the border more secure. Rather, the purpose of the bill is to use border security as cover to effectively repeal more than a century of environmental protections for Americans living and working along our borders with Canada and Mexico.

In April, the Natural Resources Committee held a joint oversight hearing with the House Oversight and Government Reform Committee, during which the Government Accountability Office, the Interior Department, the Agriculture Department, and the Border Patrol all testified under oath that Federal land management laws do not impair border security. According to the GAO report, 22 of 26 Border Patrol agents-in-charge that were interviewed reported that Federal land management laws had no impact on the overall security status of their jurisdiction.

In summary, the number of Border Patrol agents-in-charge who found that Federal land management laws were impeding border security but were prevented from fixing the problems by the Interior Department was exactly zero. The administration concurred with this finding at multiple hearings. The

record is clear. And the problem this bill claims to solve does not exist.

The true purpose of this legislation is also clear. The proponents oppose the more-than-30 bedrock environmental protections that will be effectively repealed by this legislation, including the Clean Water Act, the Clean Air Act, the Clean Drinking Water Act, everywhere, not just within 100 miles of the border. Title XIV employs a manufactured conflict with border security to weaken their application.

The laws to be waived by this act are the work product of dozens of administrations and Congresses, developed after thousands of hours of negotiation and compromise and, in most cases, were enacted with strong bipartisan support. Title XIV hands the Border Patrol a unilateral veto over all of these laws, all this work, and all this bipartisan effort.

Enactment of this legislation and title XIV would not only allow DHS to trample the ground near the border. It would also allow the Agency to trample the rights of States and Native people. This legislation would empower individual patrol agents to enter tribal land without notice and conduct any and all activities, including excavation and construction, without regard for the presence of tribal sites or tribal leadership.

The real problem of border enforcement is one of manpower, budgets, economic incentives, and difficult terrain. This bill addresses none of those concerns. We will not secure our borders by allowing our waters to be polluted. We will not secure our borders by allowing our air to be dirtier, by ignoring the laws that have protected the environment and the American people. That will not bring security to the border.

This legislation and title XIV reduce the number of immigrants coming to this country. If it does, it will only be because the water, air, and economics of our border communities are so degraded that no one wants to come there anymore. This legislation is sweeping. It's reactionary. This bill is not what it appears to be. And it should be rejected.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from North Carolina (Mr. JONES) who is the author of title X of this bill.

Mr. JONES. I thank the chairman for his support of this provision in this bill.

The title of my provision is the Preserving Access to Cape Hatteras National Seashore Recreational Area Act. The Cape Hatteras act is about jobs. Its about taxpayers' rights to access the recreational areas they own. It's about restoring balance and common sense to National Park Service management.

This language would overturn a final rule implemented by the Park Service earlier this year that excessively restricts taxpayers' access to the Cape Hatteras seashore and is unnecessary to protect the wildlife. It would reinstitute the Park Service's 2007 interim management strategy to govern visitor access and species protection at Cape Hatteras. The interim strategy was backed by a 113-page biological opinion issued by the United States Fish and Wildlife Service, which found that it would not jeopardize piping plover, sea turtles, or other species of concern.

In addition to adequately protecting wildlife, this bill would give taxpayers more reasonable access to the land they own. It would reopen 26 miles of beach that are now permanently closed to motorized beach access and give seashore managers flexibility to implement more balanced measures that maximize both recreational access and species protection.

By doing so, this bill would reverse the significant job loss and economic decline that Hatteras Island has experienced. I want to repeat that, Mr. Chair: by doing so, the bill would reverse the significant job loss and economic decline that Hatteras Island has experienced since the Park Service cut off access to the most powerful area of the seashore.

My bill and now this bill has bipartisan support in Dare County. The county commissioners in Dare County are predominantly Democrats. They support this bill 100 percent. They ask that this bill move through the House. I am pleased to say that the North Carolina Senators, Republican Senator RICHARD BURR and Democrat Senator KAY HAGAN, have introduced a companion bill that says exactly on the Senate side what this bill says on the House side. The bill is also supported by a national sportsmen's group, including the American Sportfishing Association and the Congressional Sportsmen's Foundation.

Mr. Chair, that's why I am honored today to be on the floor with my colleagues to support this legislation. It is time for the taxpayers to be considered, and it's time that we protect the species that are endangered. This is a balanced piece of legislation, not just talking about my aspect of it, but the bill itself. So I hope that my colleagues will support this legislation in a bipartisan way, and let's send this bill to the Senate.

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

Without a doubt, proponents of H.R. 2578 and, in particular, title XIV, the border bill portion, claim this legislation will end the horrors of the border, that it will secure the border and, finally, Arizona and the rest of the Nation will be ready to sit down, conduct real work, and reach comprehensive immigration reform.

The horrors they will describe—the rape tree, the murders, the abuse of people—some are quite real. The violence is conducted by criminal organizations that prey on desperate and poor people, fueled by a drug trade that produces billions upon billions of dollars for these very criminals that create the violence.

In the last decade, over 4,000 souls have died trying to cross through the most desolate parts of the Arizona desert. And this human tragedy should not be the excuse to undo environmental and public protection laws, which the majority has been attacking on all fronts since the beginning of this Congress. This is a dangerous precedent, that in order to secure the border we must lose those protections. It's an absurd connection, and there is no correlation.

It is interesting that in the list of laws to be waived, if we are truly to make a dent in that violence, we find no mention of suspending the unregulated gun shows that happen in border regions. Eighty-five percent of the assault rifles used by cartels and organized crime syndicates along the border and in Mexico originate in the United States from these gun shows. It is interesting that there is no mention of suspending Federal support for U.S. financial interests that harbor and launder money from Mexican crime syndicates here in the United States.

The environmental laws and protections being eliminated under title XIV will not bring long-term solutions to our beleaguered southern border. These laws are not the reasons for the stress. The reason for the stress is the unwillingness of this Congress to deal with immigration reform and the broken immigration system. Enforcement is part of the solution; it is not the only part of the solution.

□ 1530

The stress is caused by politicians who either exploit the issue for their own gain or run away from the issue because of their own fear of it. To begin to deal with this issue, we need the resolve to work toward comprehensive immigration reform. But all the majority wants to do is scapegoat its lack of resolve to deal with this real issue in order to advance an agenda to hijack the laws that have served our public lands and our citizens well for decades.

This is a terrible precedent. It's backdoor amnesty for polluters, developers, and mining industries. And those extremists want all these protections and environmental laws eliminated. The border is the excuse; the target is the environment.

I reserve the balance of my time.

Mr. HASTINGS of Washington. I am very pleased to yield 2 minutes to the gentleman from California (Mr. HERGER), who is the author of title VIII of this bill.

Mr. HERGER. Thank you, Mr. Chairman.

I rise in support of H.R. 2578, the Conservation and Economic Growth Act, which would extend the bipartisan Herger-Feinstein Quincy Library Group Recovery Act for 7 more years, ensuring that the Forest Service has a stable

and consistent period to fully implement it. At the discretion of the Forest Service, the bill would also allow for its expansion to all National Forest system lands within parts of California and Nevada. The expansion of the pilot project will enable the Forest Service to use the effective QLG approach in additional forest communities.

The northern California congressional district I represent includes all or parts of seven national forests. The rural forest communities near to them have been devastated by years of mismanagement of our national forests. Nearly 20 years ago, a group of local environmentalists and citizens formed the Quincy Library Group to develop a collaborative and locally driven solution to bring health and stability to our communities and the forests they live in. The QLG's efforts brought about the bipartisan Herger-Feinstein Quincy Library Group Forest Recovery Act.

Mr. Chairman, we need commonsense forest management that allows communities to utilize their natural resources and create jobs while also restoring the health of our forests. The Quincy Library Group pilot project can provide a model for achieving these critical goals.

In 2007, the 64,000-acre Moonlight fire occurred in the Plumas National Forest. That fire came to an abrupt halt when it reached Antelope, a QLG-constructed defensible fuel profile zone. It saved tens of thousands of spotted owl habitat from burning.

Mr. Chairman, this is the solution to our catastrophic wildfire problem that can and should be replicated. I urge my colleagues to extend and expand this balanced and collaborative project.

Mr. GRIJALVA. I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, may I inquire of my friend from Arizona, we have no more requests for time, and I'm prepared to close, if the gentleman is prepared to close.

Mr. GRIJALVA. Yes, we are.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield myself the remainder of my time.

This package of 14 bills is an unwarranted combination of individual bills that would do serious and lasting damage to communities and people across this country. Many of the individual pieces are controversial, but they are overshadowed by title XIV, the drone zone title.

The drone zone created by this bill would trample the environment and the personal freedoms of millions of people living within 100 miles of the border. At a time when the clock is ticking on the reauthorization of the highway trust fund, where real jobs can be created, we are wasting time on this misguided package. At a time when the clock is ticking on making college loans remain affordable, we are wasting time on this package. We should reject H.R. 2578 and get down to the serious work, which is to create jobs and help middle class families make ends meet.

Mr. DEFAZIO and Ranking Member MARKEY and I will be offering amendments to address the absolute worst aspects of this package. I urge my colleagues to support the amendments. Unfortunately, even those amendments cannot fix all that is wrong with this package, and I ask my colleagues to reject H.R. 2578. There is a point in which common sense and sanity should prevail in this House. We have a piece of legislation that begs the question on both before us, and I would urge its defeat.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, can I inquire as to how much time I have remaining.

The CHAIR. The gentleman from Washington has 8 minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Chairman, let's go back to the basic issue, really, that's facing this country—and I alluded to it in my opening statement. What Americans really want is jobs. And while this package of bills is in line with that, what it really does is add some certainty to those that live in and around Federal lands. Therefore, allowing for at least some certainty as it relates to jobs, but probably as important, if not more important, is access to our public lands for those that want to utilize our public lands.

There's been much discussion here about how this bill does some damage to the environment. Well, let me just touch on a couple of issues that were mentioned on the other side and I think it needs to be clarified, at least here, before this debate is over.

First, the reference was made to sea lions that were guilty of one thing, and that was eating only fish. Well, I happen to be the author of the title of that bill. Let me clarify. There's a rest-of-the-story here. We had a hearing in the full committee of the Natural Resources Committee today on the Endangered Species Act. I think, frankly, it hasn't been reauthorized for 25 years, and I think we need to update that act to make sure that we recover species. And my colleagues on the other side of the aisle said it's a great act. That's good. We at least have some establishment of commonality.

The reason that provision is in the bill regarding sea lions is that salmon are listed as threatened on the Columbia River. And as they move upstream after coming back from the ocean, they get crowded going up Bonneville Dam. Now, there's a nonindigenous animal called the California sea lion that comes up there and feasts on these fish as they're going through the Bonneville Dam. So it's destroying an endangered species. The California sea lion is not listed as endangered, and they're not indigenous.

So that part of the legislation simply allows for lethal taking of those sea lions so the fish can pass upstream and spawn. Nothing more than that. It's a cute way, to borrow a phrase, to say that they're guilty of only eating fish. But there's more to that story.

This legislation also encourages the development of renewable hydropower. What could be cleaner than that? It promotes healthy forest and prevents forest fires, as my colleague from northern California just said in regard to the title of the act he has in there. It restores access to different parks for recreational purposes in the North Cascades and at Cape Hatteras on the Atlantic Coast, and it preserves old growth in Alaska.

So, Mr. Chairman, there is a lot to be liked about this bill, but it seems most of the discussion is around title XIV.

Let me read the title of title XIV one more time. It is the National Security and Federal Lands Protection Act. Now why do we need that? Because, unfortunately, there are those that want to come into our country illegally, and they don't have the same feelings as we do about our public lands. When they come through illegally, in many cases, they trash those lands. We're simply giving the Border Patrol more tools to protect those public lands and to provide for our national security. I don't know why anybody on the floor of this House should be opposed to that aspect. That's all that title XIV does, as was explained very well by the author of that provision, Mr. BISHOP of Utah.

So, Mr. Chairman, this bill is worth supporting. It has been developed in a bipartisan method. It has been developed in a transparent method, having gone through the committee process.

I urge adoption, and I yield back the balance of my time.

Ms. CHU. Mr. Chair, I rise today in strong opposition to the so-called Conservation and Economic Growth Act, H.R. 2578. On behalf of my constituents and millions of other Americans who believe in protecting our public lands and natural resources, I am opposed to this bill.

This bill is yet another in a long string of anti-environmental assaults that the Republican majority has put forth relentlessly throughout the last two years. Most of its 14 titles do nothing to promote conservation or economic growth. Rather, they advance ineffective and unnecessary policies that undermine long-standing, successful laws like the National Wild and Scenic Rivers Act, the Endangered Species Act, the Wilderness Act, the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, and the American Indian Religious Freedom Act.

One of the most concerning provisions of this bill seeks to create a 100-mile zone along the northern and southern U.S. borders that would allow U.S. Customs and Border Protection to circumvent laws protecting Native rights, clean water, clean air, wildlife habitat and recreational opportunities in areas rich in hunting, fishing and outdoor recreation opportunities in National Parks, Forests, refuges and recreation areas. This undermines the balance between security and preservation of public lands, putting at risk some of America's

most renowned natural treasures such as Joshua Tree National Park in my home state of California. And the Department of Homeland Security doesn't even want it, calling this provision ''unnecessary and bad policy.''

Another provision would reverse, for the first time in Congressional history, the National Wild and Scenic River designation for part of the Lower Merced River in California. The Merced River was given this designation in 1992, under the administration of George H.W. Bush, and Wild and Scenic River protections have successfully preserved miles of pristine U.S. waters, enjoyed by a vast outdoor tourism, sporting and recreation industry. The Merced River runs through Yosemite Valley, one of America's most popular natural wonders, and is a tributary to the San Joaquin River that provides most of the water supply for California's agricultural industry. This provision would remove vital protections for one of California's most important water life-lines in a never-before-seen manner, and undermine valuable economic activity among some of the most hard-hit California communities.

The bill would allow the clear-cutting of America's largest remaining old-growth temperate rainforest in the Tsongas National Forest of Alaska; reverse the prohibition of vehicle use on the fragile habitats of Cape Hatteras National Seashore; and mandate the killing of sea lions in the Pacific Northwest in order to protect endangered fish species. . . . This is the Republicans' conservation and jobs bill: killing sea lions and destroying landscapes and habitat across the nation.

As a leading member on the House Small Business Committee and a firm defender of environmental protection, I believe striking the right balance of policy has always been key to our economic growth and our strength as a nation. H.R. 2578 does not accomplish that goal. In fact it does much to undermine it. H.R. 2578 is wrong for America.

I strongly encourage my colleagues to oppose this bill, and any measure introduced that undermines the conservation of America's treasured public lands and natural resources.

Mr. QUIGLEY. Mr. Chair, Americans have a penchant for believing that more is always better.

That unfettered and unabridged access will solve problems.

H.R. 2578, the Conservation and Economic Growth Act, purports to create jobs by violating or eliminating over 35 laws that currently govern our land, air, water, and importantly, our Nation's borders.

The idea follows that in giving the Department of Homeland Security free rein to traverse the roughshod lands around our borders, we'll be safer.

But, the Department of Homeland Security didn't ask for this access, nor do they believe it's warranted.

Homeland Security Secretary Janet Napolitano told a Senate subcommittee in March that unrestricted authority over public lands was unnecessary for the Border Patrol to do its job and was ''bad policy.''

And, we're not just talking the lands on the collar of America's borders.

No, this bill would disrupt your vacation in Cape Hatteras by lifting necessary current restrictions regarding the use of off-road vehicles.

The bill would allow corporations to dip right into Alaska's Tongass National Forest, allowing for trees that started growing before the Revolutionary War to be felled.

And, if someone decided that development of surveillance equipment in a national park was a good idea—say on Chief Mountain in Glacier National Park—it could be installed without any public comment or even internal review process.

This last point was made by two farmers and ranchers from the Mexico and Canadian borders, with more than a century of land-use between the two.

These folks who work the land, who have toiled to create and produce what the land will provide to them and their families for years, those who know it best—oppose this bill.

''In Arizona,'' the gentlemen write, ''we are concerned that poorly designed roads and fences will damage ongoing range land restoration work.

Private landowners have spent thousands of dollars and manpower hours restoring these lands to their original state, which could all be compromised by these bills.''

Another veteran publically denounced the bill in an op-ed, stating, ''As a veteran, a patriot of this nation and a Californian, I can't stand by while these lands are threatened. I'm proud to have worn this country's uniform and I want to continue serving. That's why I've chosen to follow in the path of the great Teddy Roosevelt—a man who was both a soldier and a conservationist—and stand up for our public lands.''

That's right.

A veteran, a rancher, a farmer, the Secretary of Homeland Security, are NOT extolling the virtues of a true wild, wild west.

The stewards of the land know that in order for crops to flourish;

In order to protect the Sweet Grass Hills, in Montana, a sacred location for many tribal ceremonies—and a vital source of water for surrounding communities that it is protected from mining and most motorized travel;

In order to preserve the incredible natural beauty and uniqueness that makes this land great;

We must protect it.

Over 100 years ago, Teddy Roosevelt addressed a crowd in Kansas, a state that knows its lands.

''I recognize the right and duty of this generation to develop and use the natural resources of our land,'' he said, ''but I do not recognize the right to waste them, or to rob, by wasteful use, the generations that come after us . . .''

''Of all the questions which can come before this nation, short of the actual preservation of its existence in a great war—

There is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us.

I fear we miss the mark on today's legislation, and I urge my colleagues to join me in my opposition.

Mr. VAN HOLLEN. Mr. Chair, today's Conservation and Economic Growth Act is an amalgam of 14 separate public lands bills that have little to do with conservation or economic growth.

Indeed, while a few of the provisions—like Rep. WITTMAN's proposal to create an interagency cross-cut budget for Chesapeake Bay restoration efforts—have merit, many more run directly counter to sound natural resource management.

For example, under the guise of border control, Title 14 of today's bill would create a 100 mile zone along our borders with Canada and Mexico where over thirty of environmental laws—including the Clean Air Act, the Safe Drinking Water Act and the National Environmental Protection Act—would not apply. There is no evidence that any of these laws are hindering border enforcement, and the Department of Homeland Security is firmly opposed to this measure. Title 11 of this legislation would similarly undermine the National Environmental Protection Act while providing a windfall to those who graze livestock on federal lands by doubling the current term limits for grazing permits. And Title 3 of H.R. 2578 is essentially an earmark for a single corporation in the state of Alaska, which threatens both the local economy as well as the largest tracts of remaining old growth forest in the United States.

Mr. Chair, I support environmental conservation and meaningful steps to accelerate economic growth—which is why I will be opposing today's legislation.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–25. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2578

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Conservation and Economic Growth Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—LOWER MERCED RIVER

Sec. 101. Lower Merced River.

TITLE II—BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

Sec. 201. Short title.
Sec. 202. Diamond Fork System defined.
Sec. 203. Cost allocations.
Sec. 204. No purchase or market obligation; no costs assigned to power.
Sec. 205. Prohibition on tax-exempt financing.
Sec. 206. Reporting requirement.
Sec. 207. PayGo.
Sec. 208. Limitation on the use of funds.

TITLE III—SOUTHEAST ALASKA NATIVE LAND ENTITLEMENT FINALIZATION AND JOBS PROTECTION ACT

Sec. 301. Short title.
Sec. 302. Definitions.
Sec. 303. Findings; purpose.
Sec. 304. Selections in southeast Alaska.
Sec. 305. Conveyances to Sealaska.
Sec. 306. Miscellaneous.
Sec. 307. Maps.

TITLE IV—SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK BOUNDARY EXPANSION ACT

Sec. 401. Short title.
Sec. 402. Findings.
Sec. 403. Boundary expansion.

TITLE V—WACO MAMMOTH NATIONAL MONUMENT ESTABLISHMENT ACT OF 2012

Sec. 501. Short title.

Sec. 502. Findings.
Sec. 503. Definitions.
Sec. 504. Waco Mammoth National Monument, Texas.
Sec. 505. Administration of monument.
Sec. 506. No buffer zones.

TITLE VI—NORTH CASCADES NATIONAL PARK ACCESS

Sec. 601. Findings.
Sec. 602. Authorization for boundary adjustments.

TITLE VII—ENDANGERED SALMON AND FISHERIES PREDATION PREVENTION ACT

Sec. 701. Short title.
Sec. 702. Findings.
Sec. 703. Taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species.
Sec. 704. Sense of Congress.
Sec. 705. Treaty rights of federally recognized Indian tribes.

TITLE VIII—REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT

Sec. 801. Reauthorization of Herger-Feinstein Quincy Library Group Forest Recovery Act.

TITLE IX—YERINGTON LAND CONVEYANCE AND SUSTAINABLE DEVELOPMENT ACT

Sec. 901. Short title.
Sec. 902. Findings.
Sec. 903. Definitions.
Sec. 904. Conveyances of land to City of Yerington, Nevada.
Sec. 905. Release of the United States.

TITLE X—PRESERVING ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA ACT

Sec. 1001. Short title.
Sec. 1002. Reinstatement of Interim Management Strategy.
Sec. 1003. Additional restrictions on access to Cape Hatteras National Seashore Recreational Area for species protection.
Sec. 1004. Inapplicability of final rule and consent degree.

TITLE XI—GRAZING IMPROVEMENT ACT OF 2012

Sec. 1101. Short title.
Sec. 1102. Terms of grazing permits and leases.
Sec. 1103. Renewal, transfer, and reissuance of grazing permits and leases.

TITLE XII—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT ACT

Sec. 1201. Short title.
Sec. 1202. Findings; purpose.
Sec. 1203. Definition of public target range.
Sec. 1204. Amendments to Pittman-Robertson Wildlife Restoration Act.
Sec. 1205. Limits on liability.
Sec. 1206. Sense of Congress regarding cooperation.

TITLE XIII—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2012

Sec. 1301. Short title.
Sec. 1302. Chesapeake Bay Crosscut Budget.
Sec. 1303. Adaptive Management Plan.
Sec. 1304. Independent Evaluator for the Chesapeake Bay Program.
Sec. 1305. Definitions.

TITLE XIV—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION ACT

Sec. 1401. Short title.
Sec. 1402. Prohibition on impeding certain activities of U.S. Customs and Border Protection related to border security.
Sec. 1403. Sunset.

TITLE I—LOWER MERCED RIVER

SEC. 101. LOWER MERCED RIVER.

(a) WILD AND SCENIC RIVERS ACT.—Section 3(a)(62)(B)(i) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(62)) is amended—

(1) by striking ''the normal maximum'' the first place that it appears and all that follows through ''April, 1990.'' and inserting the following: ''the boundary of FERC Project No. 2179 as it existed on July 18, 2011, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River, consisting of approximately 7.4 miles.''; and

(2) by striking ''the normal maximum operating pool water surface level of Lake McClure'' the second time that it occurs and inserting ''the boundary of FERC Project No. 2179 as it existed on July 18, 2011, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River''.

(b) EXCHEQUER PROJECT.—Section 3 of Public Law 102–432 is amended by striking ''Act:'' and all that follows through the period and inserting ''Act.''.

TITLE II—BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Bonneville Unit Clean Hydropower Facilitation Act''.

SEC. 202. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this title, the term ''Diamond Fork System'' means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 203. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102–575), and shall be subject to the same terms and conditions.

SEC. 204. NO PURCHASE OR MARKET OBLIGATION; NO COSTS ASSIGNED TO POWER.

Nothing in this title shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 205. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 206. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this title, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 207. PAYGO.

The budgetary effects of this title, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this title, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 208. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98–381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this title.

TITLE III—SOUTHEAST ALASKA NATIVE LAND ENTITLEMENT FINALIZATION AND JOBS PROTECTION ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Southeast Alaska Native Land Entitlement Finalization and Jobs Protection Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) CONSERVATION SYSTEM UNIT.—The term ''conservation system unit'' has the meaning given the term in section 102 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102).

(2) SEALASKA.—The term ''Sealaska'' means the Sealaska Corporation, a Regional Native Corporation created under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 303. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1)(A) in 1971, Congress enacted the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to recognize and settle the aboriginal claims of Alaska Natives to land historically used by Alaska Natives for traditional, cultural, and spiritual purposes; and

(B) that Act declared that the land settlement ''should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives'';

(2) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)—

(A) authorized the distribution of approximately $1,000,000,000 and 44,000,000 acres of land to Alaska Natives; and

(B) provided for the establishment of Native Corporations to receive and manage the funds and that land to meet the cultural, social, and economic needs of Native shareholders;

(3) under section 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611), each Regional Corporation, other than Sealaska (the Regional Corporation for southeast Alaska), was authorized to receive a share of land based on the proportion that the number of Alaska Native shareholders residing in the region of the Regional Corporation bore to the total number of Alaska Native shareholders, or the relative size of the area to which the Regional Corporation had an aboriginal land claim bore to the size of the area to which all Regional Corporations had aboriginal land claims;

(4)(A) Sealaska, the Regional Corporation for southeast Alaska, 1 of the Regional Corporations with the largest number of Alaska Native shareholders, with more than 21 percent of all original Alaska Native shareholders, received less than 1 percent of the lands set aside for Alaska Natives, and received no land under section 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611);

(B) the Tlingit and Haida Indian Tribes of Alaska was 1 of the entities representing the Alaska Natives of southeast Alaska before the date of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

(C) Sealaska did not receive land in proportion to the number of Alaska Native shareholders, or in proportion to the size of the area to which Sealaska had an aboriginal land claim, in part because of a United States Court of Claims cash settlement to the Tlingit and Haida Indian Tribes of Alaska in 1968 for land previously taken to create the Tongass National Forest and Glacier Bay National Monument;

(5) the 1968 Court of Claims cash settlement of $7,500,000 did not—

(A) adequately compensate the Alaska Natives of southeast Alaska for the significant quantity of land and resources lost as a result of the creation of the Tongass National Forest and Glacier Bay National Monument or other losses of land and resources; or

(B) justify the significant disparate treatment of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1611) in 1971;

(6)(A) while each other Regional Corporation received a significant quantity of land under sections 12 and 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611, 1613), Sealaska only received land under section 14(h) of that Act (43 U.S.C. 1613(h));

(B) section 14(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)) authorized the Secretary to withdraw and convey 2,000,000-acres of ''unreserved and unappropriated'' public lands in Alaska from which Alaska Native selections could be made for historic sites, cemetery sites, Urban Corporation land, Native group land, and Native Allotments;

(C) under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), after selections are made under paragraphs (1) through (7) of that section, the land remaining in the 2,000,000-acre land pool is allocated based on the proportion that the original Alaska Native shareholder population of a Regional Corporation bore to the original Alaska Native shareholder population of all Regional Corporations;

(D) the only Native land entitlement of Sealaska derives from a proportion of leftover land remaining from the 2,000,000-acre land pool, estimated as of the date of enactment of this Act at approximately 1,700,000 acres;

(E) because at the time of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) all public land in the Tongass National Forest had been reserved for purposes of creating the national forest, the Secretary was not able to withdraw any public land in the Tongass National Forest for selection by and conveyance to Sealaska;

(F) at the time of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) other public lands in southeast Alaska not located in the Tongass National Forest were not suitable for selection by and conveyance to Sealaska because such lands were located in Glacier Bay National Monument, were included in a withdrawal effected pursuant to section 17(d)(2) of that Act (43 U.S.C. 1616(d)(2)) and slated to become part of the Wrangell-St. Elias National Park, or essentially consisted of mountain tops;

(G) Sealaska in 1975 requested that Congress amend the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to permit the Regional Corporation to select lands inside of the withdrawal areas established for southeast Alaska Native villages under section 16 of that Act (43 U.S.C. 1615); and

(H) in 1976, Congress amended section 16 of the Alaska Native Claims Settlement Act (43 U.S.C. 1615) to allow Sealaska to select lands under section 14(h)(8) of that Act (43 U.S.C. 1613(h)(8)) from land located inside, rather than outside, the withdrawal areas established for southeast Alaska Native villages;

(7) the 10 Alaska Native village withdrawal areas in southeast Alaska surround the Alaska Native communities of Yakutat, Hoonah, Angoon, Kake, Kasaan, Klawock, Craig, Hydaburg, Klukwan, and Saxman;

(8)(A) the existing conveyance requirements of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) for southeast Alaska limit the land eligible for conveyance to Sealaska to the original withdrawal areas surrounding 10 Alaska Native villages in southeast Alaska, which precludes Sealaska from selecting land located—

(i) in any withdrawal area established for the Urban Corporations for Sitka and Juneau, Alaska; or

(ii) outside the 10 Alaska Native village withdrawal areas; and

(B) unlike other Regional Corporations, Sealaska is not authorized to request land located outside the withdrawal areas described in subparagraph (A) if the withdrawal areas are insufficient to complete the land entitlement of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(9)(A) the deadline for applications for selection of cemetery sites and historic places on land outside withdrawal areas established under section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) was July 1, 1976;

(B)(i) as of that date, the Bureau of Land Management notified Sealaska that the total entitlement of Sealaska would be approximately 200,000 acres; and

(ii) Sealaska made entitlement allocation decisions for cultural sites and economic development sites based on that original estimate; and

(C) as a result of the Alaska Land Transfer Acceleration Act (Public Law 108–452; 118 Stat. 3575) and subsequent related determinations and actions of the Bureau of Land Management, it became clear within the last decade that Sealaska will receive significantly more than 200,000 acres pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(10) in light of the revised Bureau of Land Management estimate of the total number of acres that Sealaska will receive pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), and in consultation with Members of Alaska's congressional delegation, Sealaska and its shareholders believe that it is appropriate to allocate more of the entitlement of Sealaska to—

(A) the acquisition of places of sacred, cultural, traditional, and historical significance;

(B) the acquisition of sites with traditional and recreational use value and sites suitable for renewable energy development; and

(C) the acquisition of lands that are not within the watersheds of Native and non-Native communities and are suitable economically and environmentally for natural resource development;

(11)(A) pursuant to section 11(a)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1610(a)(1)), Sealaska was not authorized to select under section 14(h)(1) of that Act (43 U.S.C. 1613(h)(1)) any site within Glacier Bay National Park, despite the abundance of cultural sites within that Park;

(B) Sealaska seeks cooperative agreements to ensure that cultural sites within Glacier Bay National Park are subject to cooperative management by Sealaska, Village and Urban Corporations, and federally recognized tribes with ties to the cultural sites and history of the Park; and

(C) Congress recognizes that there is an existing Memorandum of Understanding (MOU) between the Park Service and the Hoonah Indian Association, and does not intend to circumvent the MOU; rather the intent is to ensure that this and similar mechanisms for cooperative management in Glacier Bay are required by law;

(12)(A) the cemetery sites and historic places conveyed to Sealaska pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) are subject to a restrictive covenant not required by the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that hinders the ability of Sealaska to use the sites for cultural, educational, or research purposes for Alaska Natives and others;

(B) historic sites managed by the Forest Service are not subject to the limitations referred to in subparagraph (A); and

(C) Alaska Natives of southeast Alaska should be permitted to use cemetery sites and historic places in a manner that is—

(i) consistent with the sacred, cultural, traditional, or historic nature of the site; and

(ii) not inconsistent with the management plans for adjacent public land;

(13) 44 percent (820,000 acres) of the 10 Alaska Native village withdrawal areas established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) described in paragraphs (7) and (8) are composed of salt water and not available for selection;

(14) of land subject to the selection rights of Sealaska, 110,000 acres are encumbered by gubernatorial consent requirements under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(15) in each withdrawal area, there exist factors that limit the ability of Sealaska to select sufficient land, and, in particular, economically viable land, to fulfill the land entitlement of Sealaska, including factors such as—

(A) with respect to the Yakutat withdrawal area—

(i) 46 percent of the area is salt water;

(ii) 10 sections (6,400 acres) around the Situk Lake were restricted from selection, with no consideration provided for the restriction; and

(iii)(I) 70,000 acres are subject to a gubernatorial consent requirement before selection; and

(II) Sealaska received no consideration with respect to the consent restriction;

(B) with respect to the Hoonah withdrawal area, 51 percent of the area is salt water;

(C) with respect to the Angoon withdrawal area—

(i) 120,000 acres of the area is salt water;

(ii) Sealaska received no consideration regarding the prohibition on selecting land from the 80,000 acres located within the Admiralty Island National Monument; and

(iii)(I) the Village Corporation for Angoon was allowed to select land located outside the withdrawal area on Prince of Wales Island, subject to the condition that the Village Corporation shall not select land located on Admiralty Island; but

(II) no alternative land adjacent to the out-of-withdrawal land of the Village Corporation was made available for selection by Sealaska;

(D) with respect to the Kake withdrawal area—

(i) 64 percent of the area is salt water; and

(ii) extensive timber harvesting by the Forest Service occurred in the area before 1971 that significantly reduced the value of land available for selection by, and conveyance to, Sealaska;

(E) with respect to the Kasaan withdrawal area—

(i) 54 percent of the area is salt water; and

(ii) the Forest Service previously harvested in the area;

(F) with respect to the Klawock withdrawal area—

(i) the area consists of only 5 townships, as compared to the usual withdrawal area of 9 townships, because of the proximity of the Klawock withdrawal area to the Village of Craig, which reduces the selection area by 92,160 acres; and

(ii) the Klawock and Craig withdrawal areas are 35 percent salt water;

(G) with respect to the Craig withdrawal area, the withdrawal area consists of only 6 townships, as compared to the usual withdrawal area of 9 townships, because of the proximity of the Craig withdrawal area to the Village of Klawock, which reduces the selection area by 69,120 acres;

(H) with respect to the Hydaburg withdrawal area—

(i) 36 percent of the area is salt water; and

(ii) Sealaska received no consideration under the Haida Land Exchange Act of 1986 (Public Law No. 99–664; 100 Stat. 4303) for relinquishing selection rights to land within the withdrawal area that the Haida Corporation exchanged to the Forest Service;

(I) with respect to the Klukwan withdrawal area—

(i) 27 percent of the area is salt water; and

(ii) the withdrawal area is only 70,000 acres, as compared to the usual withdrawal area of 207,360 acres, which reduces the selection area by 137,360 acres; and

(J) with respect to the Saxman withdrawal area—

(i) 29 percent of the area is salt water;

(ii) Sealaska received no consideration for the 50,576 acres within the withdrawal area adjacent to the first-class city of Ketchikan that were excluded from selection;

(iii) Sealaska received no consideration with respect to the 1977 amendment to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) requiring gubernatorial consent for selection of 58,000 acres in that area; and

(iv) 23,888 acres are located within the Annette Island Indian Reservation for the Metlakatla Indian Tribe and are not available for selection;

(16) the selection limitations and guidelines applicable to Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)—

(A) are inequitable and inconsistent with the purposes of that Act because there is insufficient land remaining in the withdrawal areas to meet the traditional, cultural, and socioeconomic needs of the shareholders of Sealaska; and

(B) make it difficult for Sealaska to select—

(i) places of sacred, cultural, traditional, and historical significance;

(ii) sites with traditional and recreation use value and sites suitable for renewable energy development; and

(iii) lands that meet the real economic needs of the shareholders of Sealaska;

(17) unless Sealaska is allowed to select land outside designated withdrawal areas in southeast Alaska, Sealaska will not be able to—

(A) complete the land entitlement selections of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) in a manner that meets the cultural, social, and economic needs of Native shareholders;

(B) avoid land selections in watersheds that are the exclusive drinking water supply for regional communities, support world class salmon streams, have been identified as important habitat, or would otherwise be managed by the Forest Service as roadless and old growth forest reserves;

(C) secure ownership of places of sacred, cultural, traditional, and historical importance to the Alaska Natives of southeast Alaska; and

(D) continue to support forestry jobs and economic opportunities for Alaska Natives and other residents of rural southeast Alaska;

(18)(A) the rate of unemployment in southeast Alaska exceeds the statewide rate of unemployment on a non-seasonally adjusted basis;

(B) in January 2011, the Alaska Department of Labor and Workforce Development reported the unemployment rate for the Prince of Wales—Outer Ketchikan census area at approximately 16.2 percent;

(C) in October 2007, the Alaska Department of Labor and Workforce Development projected population losses between 1996 and 2030 for the Prince of Wales—Outer Ketchikan census area at 56.6 percent;

(D) official unemployment rates severely underreport the actual level of regional unemployment, particularly in Native villages; and

(E) additional job losses will exacerbate outmigration from Native and non-Native communities in southeast Alaska;

(19) Sealaska has played, and is expected to continue to play, a significant role in the health of the southeast Alaska economy;

(20) despite the small land base of Sealaska as compared to other Regional Corporations (less than 1 percent of the total quantity of land allocated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), Sealaska has—

(A) provided considerable benefits to Alaska Native shareholders;

(B) supported hundreds of jobs for Alaska Native shareholders and non-shareholders in southeast Alaska for more than 30 years; and

(C) been a significant economic force in southeast Alaska;

(21) pursuant to the revenue sharing provisions of section 7(i) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)), Sealaska has distributed more than $300,000,000 during the period beginning on January 1, 1971, and ending on December 31, 2005, to Native Corporations throughout the State of Alaska from the development of natural resources, which accounts for 42 percent of the total revenues shared under that section during that period;

(22) resource development operations maintained by Sealaska—

(A) support hundreds of jobs in the southeast Alaska region;

(B) make timber available to local and domestic sawmills and other wood products businesses such as guitar manufacturers;

(C) support firewood programs for local communities;

(D) support maintenance of roads utilized by local communities for subsistence and recreation uses;

(E) support development of new biomass energy opportunities in southeast Alaska, reducing dependence on high-cost diesel fuel for the generation of energy;

(F) provide start-up capital for innovative business models in southeast Alaska that create new opportunities for non-timber economic development in the region, including support for renewable biomass initiatives, Alaska Native artisans, and rural mariculture farming; and

(G) support Native education and cultural and language preservation activities;

(23) if the resource development operations of Sealaska cease on land appropriate for those operations, there will be a significant negative impact on—

(A) southeast Alaska Native shareholders;

(B) the cultural preservation activities of Sealaska;

(C) the economy of southeast Alaska; and

(D) the Alaska Native community that benefits from the revenue-sharing requirements under the Alaska Native claims Settlement Act (43 U.S.C. 1601 et seq.);

(24) it is critical that the remaining land entitlement conveyances to Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) are fulfilled to continue to meet the economic, social, and cultural needs of the Alaska Native shareholders of southeast Alaska and the Alaska Native community throughout Alaska;

(25) in order to realize cultural preservation goals while also diversifying economic opportunities, Sealaska should be authorized to select and receive conveyance of—

(A) sacred, cultural, traditional, and historic sites and other places of traditional cultural significance, including traditional and customary trade and migration routes, to facilitate the perpetuation and preservation of Alaska Native culture and history;

(B) other sites with traditional and recreation use value and sites suitable for renewable energy development to facilitate appropriate tourism and outdoor recreation enterprises and renewable energy development for rural southeast Alaska communities; and

(C) lands that are suitable economically and environmentally for natural resource development;

(26) on completion of the conveyances of land of Sealaska to fulfill the full land entitlement of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the encumbrances on 327,000 acres of Federal land created by the withdrawal of land for selection by Native Corporations in southeast Alaska should be removed, which will facilitate thorough and complete planning and efficient management relating to national forest land in southeast Alaska by the Forest Service;

(27) although the Tribal Forest Protection Act (25 U.S.C. 3101 note; Public Law 108–278) defines the term ''Indian tribe'' to include Indian tribes under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), a term which includes ''any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act . . .'', the Tribal Forest Protection Act does not define the term ''Indian forest land or rangeland'' to include lands owned by Alaska Native Corporations, including Sealaska, which are the primary Indian forest land owners in Alaska, and therefore, the Tribal Forest Protection Act should be amended in a manner that will—

(A) permit Native Corporations, including Sealaska, as Indian forest land owners in Alaska, to work with the Secretary of Agriculture under the Tribal Forest Protection Act to address forest fire and insect infestation issues, including the spread of the spruce bark beetle in southeast and southcentral Alaska, which threaten the health of the Native forestlands; and

(B) ensure that Native Corporations, including Sealaska, can participate in programs administered by the Secretary of Agriculture under the Tribal Forest Protection Act without including Native Corporations under the definition in that Act of ''Indian forest land or rangeland'' or otherwise amending that Act in a manner that validates, invalidates, or otherwise affects any claim regarding the existence of Indian country in the State of Alaska; and

(28) the National Historic Preservation Act (16 U.S.C. 470 et seq.) defines the term ''Indian tribe'' to include any ''Native village, Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act'' but does not define the term ''Tribal lands'' to include lands owned by Alaska Native Corporations, thereby excluding from the National Historic Preservation Act cemetery sites and historical places transferred to Native Corporations, including Sealaska, pursuant to the Alaska Native Claims Settlement Act, and therefore, the National Historic Preservation Act should be amended in a manner that will—

(A) permit Native Corporations, including Sealaska, as owners of Indian cemetery sites and historical places in Alaska, to work with the Secretary of the Interior under the National Historic Preservation Act to secure grants and other support to manage their own historic sites and programs pursuant to that Act; and

(B) ensure that Native Corporations, including Sealaska, can participate in programs administered by the Secretary of the Interior under the National Historic Preservation Act without including Native Corporations under the definition in that Act of ''Tribal lands'' or otherwise amending that Act in a manner that validates, invalidates, or otherwise affects any claim regarding the existence of Indian country in the State of Alaska.

(b) PURPOSE.—The purpose of this title is to address the inequitable treatment of Sealaska by allowing Sealaska to select the remaining land entitlement of Sealaska under section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) from designated Federal land in southeast Alaska located outside the 10 southeast Alaska Native village withdrawal areas in a manner that meets the cultural, social, and economic needs of Native shareholders, including the need to maintain jobs supported by Sealaska in rural southeast Alaska communities.

SEC. 304. SELECTIONS IN SOUTHEAST ALASKA.

(a) SELECTION BY SEALASKA.—

(1) IN GENERAL.—Notwithstanding section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), Sealaska is authorized to select and receive conveyance of the remaining land entitlement of Sealaska under that Act (43 U.S.C. 1601 et seq.) from Federal

land located in southeast Alaska from each category described in subsections (b) and (c).

(2) TREATMENT OF LAND CONVEYED.—Land conveyed pursuant to this title are to be treated as land conveyed pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) subject to, but not limited to—

(A) reservation of public easements across land pursuant to section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b));

(B) valid existing rights pursuant to section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)); and

(C) the land bank protections of section 907(d) of the Alaska National Interest and Lands Conservation Act (43 U.S.C. 1636(d)).

(b) WITHDRAWAL OF LAND.—The following public land is withdrawn, subject to valid existing rights, from all forms of appropriation under public land laws, including the mining and mineral leasing laws, and from selection under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508), and shall be available for selection by and conveyance to Sealaska to complete the remaining land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)):

(1) Land identified on the maps dated February 1, 2011, and labeled ''Attachment A (Maps 1 through 8)''.

(2) Sites with traditional, recreational, and renewable energy use value, as identified on the map entitled ''Sites with Traditional, Recreational, and Renewable Energy Use Value'', dated February 1, 2011, and labeled ''Attachment D'', subject to the condition that not more than 5,000 acres shall be selected for those purposes.

(3) Sites identified on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C'', which includes an identification of—

(A) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus and at 8 locations along the route, with the route, location, and boundaries of the conveyance described on the map inset entitled ''Yakutat to Dry Bay Trade and Migration Route'' on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C'';

(B) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus, with the route, location, and boundaries of the conveyance described on the map inset entitled ''Bay of Pillars to Port Camden Trade and Migration Route'' on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C''; and

(C) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus, with the route, location, and boundaries of the conveyance described on the map inset entitled ''Portage Bay to Duncan Canal Trade and Migration Route'' on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C''.

(c) SITES WITH SACRED, CULTURAL, TRADITIONAL, OR HISTORIC SIGNIFICANCE.—Subject to the criteria and procedures applicable to land selected pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) and set forth in the regulations promulgated at section 2653.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act), except as otherwise provided in this title—

(1) Sealaska shall have a right to identify up to 3,600 acres of sites with sacred, cultural, traditional, or historic significance, including archeological sites, cultural landscapes, and natural features having cultural significance; and

(2) on identification of the land by Sealaska under paragraph (1), the identified land shall be—

(A) withdrawn, subject to valid existing rights, from all forms of appropriation under public land laws, including the mining and mineral leasing laws, and from selection under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508); and

(B) available for selection by and conveyance to Sealaska to complete the remaining land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) subject to the conditions that—

(i) no sites with sacred, cultural, traditional, or historic significance may be selected from within a unit of the National Park System; and

(ii) beginning on the date that is 15 years after the date of enactment of this Act, Sealaska shall be limited to identifying not more than 360 acres of sites with sacred, cultural, traditional, or historic significance under this subsection.

(d) FOREST DEVELOPMENT ROADS.—Sealaska shall receive from the United States, subject to all necessary State and Federal permits, nonexclusive easements to Sealaska to allow—

(1) access on the forest development road and use of the log transfer site identified in paragraphs (3)(b), (3)(c) and (3)(d) of the patent numbered 50–85–0112 and dated January 4, 1985;

(2) access on the forest development road identified in paragraphs (2)(a) and (2)(b) of the patent numbered 50–92–0203 and dated February 24, 1992;

(3) access on the forest development road identified in paragraph (2)(a) of the patent numbered 50–94–0046 and dated December 17, 1993;

(4) access on the forest development roads and use of the log transfer facilities identified on the maps dated February 1, 2011, and labeled ''Attachment A (Maps 1 through 8)'';

(5) a reservation of a right to construct a new road to connect to existing forest development roads as generally identified on the maps identified in paragraph (4); and

(6) access to and reservation of a right to construct a new log transfer facility and log storage area at the location identified on the maps identified in paragraph (4).

SEC. 305. CONVEYANCES TO SEALASKA.

(a) TIMELINE FOR CONVEYANCE.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), the Secretary shall work with Sealaska to develop a mutually agreeable schedule to complete the conveyance of land to Sealaska under this title.

(2) FINAL PRIORITIES.—Consistent with the provisions of section 403 of the Alaska Land Transfer Acceleration Act (43 U.S.C. 1611 note; Public Law 108–452), not later than 18 months after the date of enactment of this Act, Sealaska shall submit to the Secretary the final, irrevocable priorities for selection of land withdrawn under section 304(b)(1).

(3) SUBSTANTIAL COMPLETION REQUIRED.—Not later than two years after the date of selection by Sealaska of land withdrawn under section 304(b)(1), the Secretary shall substantially complete the conveyance of the land to Sealaska under this title.

(4) EFFECT.—Nothing in this title shall interfere with or cause any delay in the duty of the Secretary to convey land to the State of Alaska under section 6 of the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508).

(b) EXPIRATION OF WITHDRAWALS.—On completion of the selection by Sealaska and the conveyances to Sealaska of land under subsection (a) in a manner that is sufficient to fulfill the land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8))—

(1) the right of Sealaska to receive any land under that Act from within a withdrawal area established under subsections (a) and (d) of section 16 of that Act shall be terminated;

(2) the withdrawal areas set aside for selection by Native Corporations in southeast Alaska under subsections (a) and (d) of section 16 of that Act shall be rescinded; and

(3) land located within a withdrawal area that is not conveyed to Sealaska or to a southeast Alaska Village Corporation or Urban Corporation shall be returned to the unencumbered management of the Forest Service as part of the Tongass National Forest.

(c) LIMITATION.—Sealaska shall not select or receive under this title any conveyance of land pursuant to paragraphs (1) or (2) of section 304(b) located within any conservation system unit.

(d) APPLICABLE EASEMENTS AND PUBLIC ACCESS.—

(1) IN GENERAL.—In addition to the reservation of public easements under section 304(a)(2)(A), the conveyance to Sealaska of land withdrawn pursuant to paragraphs (1) and (3) of section 304(b) that are located outside a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) a reservation for easements for public access on the public roads depicted on the maps dated February 1, 2011, and labeled ''Attachment A (Maps 1 through 8)'';

(B) a reservation for easements for public access on the temporary roads designated by the Forest Service as of the date of the enactment of this Act for the public access trails depicted on the maps described in subparagraph (A); and

(C) the right of noncommercial public access for subsistence uses, consistent with title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), and recreational access, without liability to Sealaska, subject to—

(i) the right of Sealaska to regulate access to ensure public safety, to protect cultural or scientific resources, and to provide environmental protection; and

(ii) the condition that Sealaska shall post on any applicable property, in accordance with State law, notices of the conditions on use.

(2) SACRED, CULTURAL, TRADITIONAL AND HISTORIC SITES.—The conveyance to Sealaska of land withdrawn pursuant to section 304(c) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) the right of public access across the conveyances where no reasonable alternative access around the land is available without liability to Sealaska; and

(B) the right of Sealaska to regulate access across the conveyances to ensure public safety, to protect cultural or scientific resources, to provide environmental protection, or to prohibit activities incompatible with the use and enjoyment of the land by Sealaska, subject to the condition that Sealaska shall post on any applicable property, in accordance with State law, notices of any such condition.

(3) TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—The conveyance to Sealaska of land withdrawn pursuant to section 304(b)(3) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to a requirement that Sealaska provide public access across such linear conveyances if an adjacent landowner or the public has a legal right to use the adjacent private or public land.

(4) SITES WITH TRADITIONAL, RECREATIONAL, AND RENEWABLE ENERGY USE VALUE.—The conveyance to Sealaska of land withdrawn pursuant to section 304(b)(2) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) the right of public access across the land without liability to Sealaska; and

(B) the condition that public access across the land would not be unreasonably restricted or impaired.

(5) EFFECT.—No right of access provided to any individual or entity (other than Sealaska) by this subsection—

(A) creates any interest, other than an interest retained by the United States, of such an individual or entity in the land conveyed to Sealaska in excess of that right of access; or

(B) provides standing in any review of, or challenge to, any determination by Sealaska with respect to the management or development of the applicable land.

(e) CONDITIONS ON SACRED, CULTURAL, AND HISTORIC SITES AND TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—The conveyance to Sealaska of land withdrawn pursuant to sections 304(b)(3) and 304(c)—

(1) shall be subject to a covenant prohibiting any commercial timber harvest or mineral development on the land;

(2) shall allow use of the land as described in subsection (f); and

(3) shall not be subject to any additional restrictive covenant based on cultural or historic values, or any other restriction, encumbrance, or easement, except as provided in sections 14(g) and 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g), 1616(b)).

(f) USES OF SACRED, CULTURAL, TRADITIONAL, AND HISTORIC SITES AND TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—Any land conveyed to Sealaska from land withdrawn pursuant to sections 304(b)(3) and 304(c) may be used for—

(1) preservation of cultural knowledge and traditions associated with the site;

(2) historical, cultural, and scientific research and education;

(3) public interpretation and education regarding the cultural significance of the site to Alaska Natives;

(4) protection and management of the site to preserve the natural and cultural features of the site, including cultural traditions, values, songs, stories, names, crests, and clan usage, for the benefit of future generations; and

(5) site improvement activities for any purpose described in paragraphs (1) through (4), subject to the condition that the activities—

(A) are consistent with the sacred, cultural, traditional, or historic nature of the site; and

(B) are not inconsistent with the management plans for adjacent public land.

(g) TERMINATION OF RESTRICTIVE COVENANTS.—

(1) IN GENERAL.—Each restrictive covenant regarding cultural or historical values with respect to any interim conveyance or patent for a historic or cemetery site issued to Sealaska pursuant to the Federal regulations contained in sections 2653.5(a) and 2653.11 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act), in accordance with section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)), terminates as a matter of law on the date of enactment of this Act.

(2) REMAINING CONDITIONS.—Land subject to a covenant described in paragraph (1) on the day before the date of enactment of this Act shall be subject to the conditions described in subsection (e).

(3) RECORDS.—Sealaska shall be responsible for recording with the land title recorders office of the State of Alaska any modification to an existing conveyance of land under section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) as a result of this title.

(h) CONDITIONS ON SITES WITH TRADITIONAL, RECREATIONAL, AND RENEWABLE ENERGY USE VALUE.—Each conveyance of land to Sealaska from land withdrawn pursuant to section 304(b)(2) shall be subject to a covenant prohibiting any commercial timber harvest or mineral development.

(i) ESCROW FUNDS FOR WITHDRAWN LAND.—On the withdrawal by this title of land identified for selection by Sealaska, the escrow requirements of section 2 of Public Law 94–204 (43 U.S.C. 1613 note), shall thereafter apply to the withdrawn land.

(j) GUIDING AND OUTFITTING SPECIAL USE PERMITS OR AUTHORIZATIONS.—

(1) IN GENERAL.—Consistent with the provisions of section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), except as modified herein, on land conveyed to Sealaska from land withdrawn pursuant to sections 304(b)(1) and 304(b)(2), an existing holder of a guiding or outfitting special use permit or authorization issued by the Forest Service shall be entitled to its rights and privileges on the land for the remaining term of the permit, as of the date of conveyance to Sealaska, and for 1 subsequent 10-year renewal of the permit, subject to the condition that the rights shall be considered a valid existing right reserved pursuant to section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), and shall be managed accordingly.

(2) NOTICE OF COMMERCIAL ACTIVITIES.—Sealaska, with respect to the holder of a guiding or outfitting special use permit or authorization under this subsection, and a permit holder referenced in this subsection, with respect to Sealaska, shall have an obligation to inform the other party of their respective commercial activities before engaging in the activities on land, which has been conveyed to Sealaska under this title, subject to the permit or authorization.

(3) NEGOTIATION OF NEW TERMS.—Nothing in this subsection precludes Sealaska and a permit holder under this subsection from negotiating new mutually agreeable permit terms that supersede the requirements of—

(A) this subsection;

(B) section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)); or

(C) any deed covenant.

(4) LIABILITY.—Sealaska shall bear no liability regarding use and occupancy pursuant to special use permits or authorizations on land selected or conveyed pursuant to this title.

SEC. 306. MISCELLANEOUS.

(a) STATUS OF CONVEYED LAND.—Each conveyance of Federal land to Sealaska pursuant to this title, and each Federal action carried out to achieve the purpose of this title, shall be considered to be conveyed or acted on, as applicable, pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(b) ENVIRONMENTAL MITIGATION AND INCENTIVES.—Notwithstanding subsection (e) and (h) of section 305, all land conveyed to Sealaska pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) and this title shall be considered to be qualified to receive or participate in, as applicable—

(1) any federally authorized carbon sequestration program, ecological services program, or environmental mitigation credit; and

(2) any other federally authorized environmental incentive credit or program.

(c) NO MATERIAL EFFECT ON FOREST PLAN.—

(1) IN GENERAL.—Except as required by paragraph (2), implementation of this title, including the conveyance of land to Sealaska, alone or in combination with any other factor, shall not require an amendment of, or revision to, the Tongass National Forest Land and Resources Management Plan before the first revision of that Plan scheduled to occur after the date of enactment of this Act.

(2) BOUNDARY ADJUSTMENTS.—The Secretary of Agriculture shall implement any land ownership boundary adjustments to the Tongass National Forest Land and Resources Management Plan resulting from the implementation of this title through a technical amendment to that Plan.

(d) TECHNICAL CORRECTIONS.—

(1) TRIBAL FOREST PROTECTION.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended by adding at the end a new subsection (h):

''(h)(1) Land owned by an Alaska Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is forest land or formerly had a forest cover or vegetative cover that is capable of restoration shall be eligible for agreements and contracts authorized under this Act and administered by the Secretary.

''(2) Nothing in this subsection validates, invalidates, or otherwise affects any claim regarding the existence of Indian country (as defined in section 1151 of title 18, United States Code) in the State of Alaska.''.

(2) NATIONAL HISTORIC PRESERVATION.—Section 101(d) of the National Historic Preservation Act (16 U.S.C. 470a(d)), is amended by adding at the end a new paragraph (7):

''(7)(A) Notwithstanding any other provision of law, an Alaska Native tribe, band, nation or other organized group or community, including a Native village, Regional Corporation, or Village Corporation, shall be eligible to participate in all programs administered by the Secretary under this Act on behalf of Indian tribes, including, but not limited to, securing grants and other support to manage their own historic preservation sites and programs on lands held by the Alaska Native tribe, band, nation or other organized group or community, including a Native village, Regional Corporation, or Village Corporation.

''(B) Nothing in this paragraph validates, invalidates, or otherwise affects any claim regarding the existence of Indian country (as defined in section 1151 of title 18, United States Code) in the State of Alaska.''.

(e) EFFECT ON ENTITLEMENT.—Nothing in this title shall have any effect upon the entitlement due to any Native Corporation, other than Sealaska, under—

(1) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); or

(2) the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

SEC. 307. MAPS.

(a) AVAILABILITY.—Each map referred to in this title shall be maintained on file in—

(1) the office of the Chief of the Forest Service; and

(2) the office of the Secretary.

(b) CORRECTIONS.—The Secretary or the Chief of the Forest Service may make any necessary correction to a clerical or typographical error in a map referred to in this title.

(c) TREATMENT.—No map referred to in this title shall be considered to be an attempt by the Federal Government to convey any State or private land.

TITLE IV—SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK BOUNDARY EXPANSION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ''San Antonio Missions National Historical Park Boundary Expansion Act''.

SEC. 402. FINDINGS.

Congress finds that—

(1) the San Antonio Missions National Historical Park is important to understanding the history and development of the City of San Antonio, Bexar County, the State of Texas, and the United States;

(2) understanding the connection between the San Antonio River and the San Antonio Missions is critical to understanding mission life in colonial Texas; and

(3) the San Antonio Missions National Historical Park enjoys the strong support of the City of San Antonio, Bexar County, and their citizens and businesses.

SEC. 403. BOUNDARY EXPANSION.

Section 201(a) of Public Law 95–629 (16 U.S.C. 410ee(a)) is amended—

(1) by striking ''In order'' and inserting ''(1) In order'';

(2) by striking ''The park shall also'' and inserting ''(2) The park shall also'';

(3) by striking ''After advising the'' and inserting ''(5) After advising the'';

(4) by inserting after paragraph (2) (as so designated by paragraph (2) above) the following:

''(3) The boundary of the park is further modified to include approximately 151 acres, as depicted on the map titled 'San Antonio Missions National Historical Park Proposed Boundary Addition 2009', numbered 472/468,027, and dated November 2009. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.

''(4) The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the park. The Secretary is authorized to acquire land and interests in land that are within the boundaries of the park pursuant to paragraph (3) by donation only. No private property or non-Federal public property shall be included within the boundaries of the park without the written consent of the owner of such property. Nothing in this Act, the establishment of park, or the management plan of the park shall be construed create buffer zones outside of the park. That an activity or use can be seen or heard from within the park shall not preclude the conduct of that activity or use outside the park.''.

TITLE V—WACO MAMMOTH NATIONAL MONUMENT ESTABLISHMENT ACT OF 2012

SEC. 501. SHORT TITLE.

This title may be cited as the ''Waco Mammoth National Monument Establishment Act of 2012''.

SEC. 502. FINDINGS.

Congress finds that—

(1) the Waco Mammoth Site area is located near the confluence of the Brazos River and the Bosque River in central Texas, near the city of Waco;

(2) after the discovery of bones emerging from eroding creek banks leading to the uncovering of portions of 5 mammoths, Baylor University began investigating the site in 1978;

(3) several additional mammoth remains have been uncovered making the site the largest known concentration of mammoths dying from the same event;

(4) the mammoth discoveries have received international attention; and

(5) Baylor University and the city of Waco, Texas, have been working together—

(A) to protect the site; and

(B) to develop further research and educational opportunities at the site.

SEC. 503. DEFINITIONS.

In this title:

(1) CITY.—The term ''City'' means the city of Waco, Texas.

(2) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Monument prepared under section 505(c)(1).

(3) MAP.—The term ''map'' means the map entitled ''Proposed Boundary Waco-Mammoth National Monument'', numbered T21/80,000, and dated April 2009.

(4) MONUMENT.—The term ''Monument'' means the Waco Mammoth National Monument established by section 504(a).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Texas.

(7) UNIVERSITY.—The term ''University'' means Baylor University in the State.

SEC. 504. WACO MAMMOTH NATIONAL MONUMENT, TEXAS.

(a) ESTABLISHMENT.—There is established in the State, as a unit of the National Park System, the Waco Mammoth National Monument, as generally depicted on the map.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 505. ADMINISTRATION OF MONUMENT.

(a) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(1) this title; and

(2) any cooperative agreements entered into under subsection (b)(1).

(b) AUTHORITIES OF SECRETARY.—

(1) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative management agreements with the University and the City, in accordance with section 3(l) of Public Law 91–383 (16 U.S.C. 1a–2(l)).

(2) ACQUISITION OF LAND.—The Secretary may acquire by donation only from the City any land or interest in land owned by the City within the proposed boundary of the Monument.

(c) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the University and the City, shall complete a general management plan for the Monument.

(2) INCLUSIONS.—The management plan shall include, at a minimum—

(A) measures for the preservation of the resources of the Monument;

(B) requirements for the type and extent of development and use of the Monument;

(C) identification of the capacity of the Monument for accommodating visitors; and

(D) opportunities for involvement by the University, City, State, and other local and national entities in—

(i) developing educational programs for the Monument; and

(ii) developing and supporting the Monument.

(d) PROHIBITION OF USE OF FEDERAL FUNDS.—No Federal funds may be used to pay the costs of—

(1) carrying out a cooperative agreement under subsection (b)(1);

(2) acquiring land for inclusion in the Monument under subsection (b)(2);

(3) developing a visitor center for the Monument;

(4) operating or maintaining the Monument;

(5) constructing exhibits for the Monument; or

(6) developing the general management plan under subsection (c).

(e) USE OF NON-FEDERAL FUNDS.—Non-Federal funds may be used to pay any costs that may be incurred by the Secretary or the National Park Service in carrying out this section.

(f) EFFECT ON ELIGIBILITY FOR FINANCIAL ASSISTANCE.—Nothing in this title affects the eligibility of the Monument for Federal grants or other forms of financial assistance that the Monument would have been eligible to apply for had National Park System status not been conferred to the Monument under this title.

(g) TERMINATION OF NATIONAL PARK SYSTEM STATUS.—

(1) IN GENERAL.—Designation of the Monument as a unit of the National Park System shall terminate if the Secretary determines that Federal funds are required to operate and maintain the Monument.

(2) REVERSION.—If the designation of the Monument as a unit of the National Park System is terminated under paragraph (1), any land acquired by the Secretary from the City under subsection (b)(2) shall revert to the City.

(h) PRIVATE PROPERTY PROTECTION.—No private property may be made part of the Monument without the written consent of the owner of that private property.

SEC. 506. NO BUFFER ZONES.

Nothing in this title, the establishment of national monument, or the management plan shall be construed create buffer zones outside of the national monument. That an activity or use can be seen or heard from within the Monument shall not preclude the conduct of that activity or use outside the Monument.

TITLE VI—NORTH CASCADES NATIONAL PARK ACCESS

SEC. 601. FINDINGS.

Congress finds as follows:

(1) In 1988, 93 percent of the North Cascades National Park Complex was designated the Stephen Mather Wilderness.

(2) A road corridor was deliberately excluded from the wilderness designation to provide for the continued use and maintenance of the upper Stehekin Valley Road.

(3) The upper Stehekin Valley Road provides access to Stephen Mather Wilderness trailheads and North Cascades National Park from the Lake Chelan National Recreation Area.

(4) Record flooding in 1995 and again in 2003 caused severe damage to the upper Stehekin Valley Road and led to the closure of a 9.9-mile section of the road between Car Wash Falls and Cottonwood Camp.

(5) The National Park Service currently does not have the flexibility to rebuild the upper Stehekin Valley Road away from the Stehekin River due to the current location of the non-wilderness road corridor provided by Congress in 1988.

(6) It is a high priority that the people of the United States, including families, the disabled, and the elderly, have reasonable access to the National Parks system and their public lands.

(7) The 1995 Lake Chelan National Recreation Area General Management Plan calls for retaining vehicle access to Cottonwood Camp.

(8) Tourism associated with the North Cascades National Park Complex is an important part of the economy for rural communities in the area.

(9) Additional management flexibility would allow the National Park Service to consider retention of the upper Stehekin Valley Road in a manner that provides for no net loss of wilderness.

SEC. 602. AUTHORIZATION FOR BOUNDARY ADJUSTMENTS.

The Washington Park Wilderness Act of 1988 (Public Law 100–668) is amended by inserting after section 206 the following:

''SEC. 207. BOUNDARY ADJUSTMENTS FOR ROAD.

''(a) IN GENERAL.—The Secretary may adjust the boundaries of the North Cascades National Park and the Stephen Mather Wilderness in order to provide a 100-foot-wide corridor along which the Stehekin Valley Road may be rebuilt—

''(1) outside of the floodplain between milepost 12.9 and milepost 22.8;

''(2) within the boundaries of the North Cascades National Park; and

''(3) outside of the boundaries of the Stephen Mather Wilderness.

''(b) NO NET LOSS OF LANDS.—The boundary adjustments made under this section shall be such that equal acreage amounts are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.''.

TITLE VII—ENDANGERED SALMON AND FISHERIES PREDATION PREVENTION ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Endangered Salmon and Fisheries Predation Prevention Act''.

SEC. 702. FINDINGS.

The Congress finds the following:

(1) There are 13 groups of salmon and steelhead that are listed as threatened species or endangered species under the Endangered Species Act of 1973 that migrate through the lower Columbia River.

(2) The people of the Northwest United States are united in their desire to restore healthy salmon and steelhead runs, as they are integral to the region's culture and economy.

(3) The Columbia River treaty tribes retain important rights with respect to salmon and steelhead.

(4) Federal, State, and tribal governments have spent billions of dollars to assist the recovery of Columbia River salmon and steelhead populations.

(5) One of the factors impacting salmonid populations is increased predation by marine mammals, including California sea lions.

(6) The population of California sea lions has increased 6-fold over the last 3 decades, and is currently greater than 250,000 animals.

(7) In recent years, more than 1,000 California sea lions have been foraging in the lower 145 miles of the Columbia River up to Bonneville Dam during the peak spring salmonid run before returning to the California coast to mate.

(8) The percentage of the spring salmonid run that has been eaten or killed by California sea lions at Bonneville Dam has increased 7-fold since 2002.

(9) In recent years, California sea lions have with greater frequency congregated near Bonneville Dam and have entered the fish ladders.

(10) These California sea lions have not been responsive to extensive hazing methods employed near Bonneville Dam to discourage this behavior.

(11) The process established under the 1994 amendment to the Marine Mammal Protection Act of 1972 to address aggressive sea lion behavior is protracted and will not work in a timely enough manner to protect threatened and endangered salmonids in the near term.

(12) In the interest of protecting Columbia River threatened and endangered salmonids, a temporary expedited procedure is urgently needed to allow removal of the minimum number of California sea lions as is necessary to protect the passage of threatened and endangered salmonids in the Columbia River and its tributaries.

(13) On December 21, 2010, the independent Pinniped-Fishery Interaction Task Force recommended lethally removing more of the California sea lions in 2011.

(14) On August 18, 2011, the States of Washington, Oregon, and Idaho applied to the National Marine Fisheries Service, under section 120(b)(1)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389(b)(1)(A)), for the lethal removal of sea lions that the States determined are having a ''significant negative impact'' on the recovery of Columbia River and Snake River salmon and steelhead.

(15) On September 12, 2011, the National Marine Fisheries Service announced it was accepting the States' application for lethal removal of sea lions and that it would reconvene the Pinniped-Fishery Interaction Task Force to consider the States' application. This title will ensure the necessary authority for permits under the Marine Mammal Protection Act of 1972 to be issued in a timely fashion.

(16) During a June 14, 2011, hearing, the Committee on Natural Resources of the House of Representatives received testimony from State and tribal witnesses expressing concern that significant pinniped predation of important Northwest fish resources other than salmonids is severely impacting fish stocks determined by both Federal and State fishery management agencies to be at low levels of abundance, and that this cannot be addressed by section 120 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389), which as in effect before the enactment of this Act restricted control of predatory pinnipeds' impact only with respect to endangered salmonids.

SEC. 703. TAKING OF SEA LIONS ON THE COLUMBIA RIVER AND ITS TRIBUTARIES TO PROTECT ENDANGERED AND THREATENED SPECIES OF SALMON AND OTHER NONLISTED FISH SPECIES.

Section 120 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389) is amended by striking subsection (f) and inserting the following:

''(f) TEMPORARY MARINE MAMMAL REMOVAL AUTHORITY ON THE WATERS OF THE COLUMBIA RIVER OR ITS TRIBUTARIES.—

''(1) REMOVAL AUTHORITY.—Notwithstanding any other provision of this Act, the Secretary may issue a permit to an eligible entity authorizing the intentional lethal taking on the waters of the Columbia River and its tributaries of sea lions that are part of a healthy population that is not listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), to protect endangered and threatened species of salmon and other nonlisted fish species.

''(2) PERMIT PROCESS.—

''(A) IN GENERAL.—An eligible entity may apply to the Secretary for a permit under this subsection.

''(B) DEADLINE FOR CONSIDERATION OF APPLICATION.—The Secretary shall approve or deny an application for a permit under this subsection by not later than 30 days after receiving the application.

''(C) DURATION OF PERMIT.—A permit under this subsection shall be effective for no more than one year after the date it is issued, but may be renewed by the Secretary.

''(3) LIMITATIONS.—

''(A) LIMITATION ON PERMIT AUTHORITY.—Subject to subparagraph (B), a permit issued under this subsection shall not authorize the lethal taking of more than 10 sea lions during the duration of the permit.

''(B) LIMITATION ON ANNUAL TAKINGS.—The cumulative number of sea lions authorized to be taken each year under all permits in effect under this subsection shall not exceed one percent of the annual potential biological removal level.

''(4) DELEGATION OF PERMIT AUTHORITY.—Any eligible entity may delegate to any other eligible entity the authority to administer its permit authority under this subsection.

''(5) NEPA.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to this subsection and the issuance of any permit under this subsection during the 5-year period beginning on the date of the enactment of this subsection.

''(6) SUSPENSION OF PERMITTING AUTHORITY.—If, 5 years after enactment, the Secretary, after consulting with State and tribal fishery managers, determines that lethal removal authority is no longer necessary to protect salmonid and other fish species from sea lion predation, may suspend the issuance of permits under this subsection.

''(7) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means each of the State of Washington, the State of Oregon, the State of Idaho, the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Columbia River Inter-Tribal Fish Commission.''.

SEC. 704. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) preventing predation by sea lions, recovery of listed salmonid stocks, and preventing future listings of fish stocks in the Columbia River is a vital priority;

(2) permit holders exercising lethal removal authority pursuant to the amendment made by this title should be trained in wildlife management; and

(3) the Federal Government should continue to fund lethal and nonlethal removal measures for preventing such predation.

SEC. 705. TREATY RIGHTS OF FEDERALLY RECOGNIZED INDIAN TRIBES.

Nothing in this title or the amendment made by this title shall be construed to affect or modify any treaty or other right of any federally recognized Indian tribe.

TITLE VIII—REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT

SEC. 801. REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT.

(a) EXTENSION.—Subsection (g) of the Herger-Feinstein Quincy Library Group Forest Recovery Act (title IV of the Department of the Interior and Related Agencies Appropriations Act, 1999, as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended to read as follows:

''(g) TERM OF PILOT PROJECT.—

''(1) IN GENERAL.—The Secretary shall conduct the pilot project until the earlier of the following:

''(A) September 30, 2022.

''(B) The date on which the Secretary completes amendment or revision of the land and resource management plans for the National Forest System lands included in the pilot project area.

''(2) FOREST PLAN AMENDMENTS.—When the Regional Forester for Region 5 initiates the process to amend or revise the land and resource management plans for the pilot project area, the process shall include preparation of at least one alternative that incorporates the pilot project and area designations under subsection (b), the resource management activities described in subsection (d), and other aspects of the Quincy Library Group Community Stability Proposal.''.

(b) EXPANSION OF PILOT PROJECT AREA.—Subsection (b) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by adding at the end the following new paragraph:

''(3) EXPANSION OF PILOT PROJECT AREA.—The Secretary may expand the pilot project area to include all National Forest System lands within California or Nevada that lie within the Sierra Nevada and Cascade Province, Lake Tahoe Basin Management Unit, Humboldt-Toiyabe National Forest, and Inyo National Forest. These lands may be managed using the same strategy, guidelines and resource management activities outlined in this section or developed to meet local forest and community needs and conditions.''.

(c) ROADLESS AREA PROTECTION.—Subsection (c)(4) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by adding at the end the following new sentence: ''However, those areas designated as 'Deferred' on the map, but located in Tehama County, south and west of Lassen Peak, are deemed to be designated as 'Available for Group Selection' and shall be managed accordingly under subsection (d).''.

(d) GROUP SELECTION REQUIREMENT.—Subparagraph (A) of subsection (d)(2) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended to read as follows:

''(A) GROUP SELECTION.—After September 30, 2012, group selection on an average acreage of .57 percent of the pilot project area land shall occur each year of the pilot project.''.

TITLE IX—YERINGTON LAND CONVEYANCE AND SUSTAINABLE DEVELOPMENT ACT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Yerington Land Conveyance and Sustainable Development Act''.

SEC. 902. FINDINGS.

Congress finds that—

(1) the city of Yerington, Nevada, which has an unemployment rate of 16 percent, has the highest unemployment rate in the State of Nevada;

(2) for over 4 years, the city of Yerington and Lyon County, Nevada, have been working with private business partners to develop a sustainable development plan that would enable all parties to benefit from the use of private land adjacent to the city of Yerington for potential commercial and industrial development, mining activities, recreation opportunities, and the expansion of community and cultural events;

(3) the sustainable development plan referred to in paragraph (2) requires the conveyance of certain Federal land administered by the Bureau of Land Management to the City for consideration in an amount equal to the fair market value of the Federal land;

(4) the Federal land to be conveyed to the City under the sustainable development plan has

very few environmental, historical, wildlife, or cultural resources of value to the public, but is appropriate for responsible development;

(5) the Federal land that would be conveyed to the City under the sustainable development plan—

(A) is adjacent to the boundaries of the City; and

(B) would be used—

(i) to enhance recreational, cultural, commercial, and industrial development opportunities in the City;

(ii) for future economic development, regional use, and as an open space buffer to the City; and

(iii) to allow the City to provide critical infrastructure services;

(6) commercial and industrial development of the Federal land would enable the community to benefit from the transportation, power, and water infrastructure that would be put in place with the concurrent development of commercial and industrial operations;

(7) the conveyance of the Federal land would—

(A) help the City and County to grow; and

(B) provide additional tax revenue to the City and County;

(8) industrial and commercial development of the Federal land would create thousands of long-term, high-paying jobs for the City and County; and

(9) the Lyon County Commission and the City unanimously approved resolutions in support of the conveyance of the Federal land because the conveyance would facilitate a sustainable model for long-term economic and industrial development.

SEC. 903. DEFINITIONS.

In this title:

(1) CITY.—The term ''City'' means the city of Yerington, Nevada.

(2) FEDERAL LAND.—The term ''Federal land'' means the land located in Lyon County and Mineral County, Nevada, that is identified on the map as ''City of Yerington Sustainable Development Conveyance Lands''.

(3) MAP.—The term ''map'' means the map entitled ''Yerington Land Conveyance and Sustainable Development Act'' and dated May 31, 2012.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 904. CONVEYANCES OF LAND TO CITY OF YERINGTON, NEVADA.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this title, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the City, subject to the City's agreement and in exchange for consideration in an amount equal to the fair market value of the Federal land, all right, title, and interest of the United States in and to the Federal land identified on the map.

(b) APPRAISAL TO DETERMINE OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the Federal land to be conveyed—

(1) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisition; and

(B) the Uniform Standards of Professional Appraisal Practice.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) APPLICABLE LAW.—Beginning on the date on which the Federal land is conveyed to the City, the development of and conduct of activities on the Federal land shall be subject to all applicable Federal laws (including regulations).

(e) ADMINISTRATIVE COSTS.—The City shall be responsible for all survey, appraisal, and other administrative costs associated with the conveyance of the Federal land to the City under this title.

SEC. 905. RELEASE OF THE UNITED STATES.

Upon making the conveyance under section 904, notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal Land in existence on or before the date of the conveyance.

TITLE X—PRESERVING ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Preserving Access to Cape Hatteras National Seashore Recreational Area Act''.

SEC. 1002. REINSTATEMENT OF INTERIM MANAGEMENT STRATEGY.

(a) MANAGEMENT.—After the date of the enactment of this title, Cape Hatteras National Seashore Recreational Area shall be managed in accordance with the Interim Protected Species Management Strategy/Environmental Assessment issued by the National Park Service on June 13, 2007, for the Cape Hatteras National Seashore Recreational Area, North Carolina, unless the Secretary of the Interior (hereafter in this title referred to as the ''Secretary'') issues a new final rule that meets the requirements set forth in section 1003.

(b) RESTRICTIONS.—The Secretary shall not impose any additional restrictions on pedestrian or motorized vehicular access to any portion of Cape Hatteras National Seashore Recreational Area for species protection beyond those in the Interim Management Strategy, other than as specifically authorized pursuant to section 1003 of this title.

SEC. 1003. ADDITIONAL RESTRICTIONS ON ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA FOR SPECIES PROTECTION.

(a) IN GENERAL.—If, based on peer-reviewed science and after public comment, the Secretary determines that additional restrictions on access to a portion of the Cape Hatteras National Seashore Recreational Area are necessary to protect species listed as endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretary may only restrict, by limitation, closure, buffer, or otherwise, pedestrian and motorized vehicular access for recreational activities for the shortest possible time and on the smallest possible portions of the Cape Hatteras National Seashore Recreational Area.

(b) LIMITATION ON RESTRICTIONS.—Restrictions imposed under this section for protection of species listed as endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be greater than the restrictions in effect for that species at any other National Seashore.

(c) CORRIDORS AROUND CLOSURES.—To the maximum extent possible, the Secretary shall designate pedestrian and vehicular corridors of minimal distance on the beach or interdunal area around closures implemented under this section to allow access to areas not closed.

SEC. 1004. INAPPLICABILITY OF FINAL RULE AND CONSENT DEGREE.

(a) FINAL RULE.—The final rule titled ''Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore—Off-Road Vehicle Management'' (77 Fed. Reg. 3123–3144) shall have no force or effect after the date of the enactment of this title.

(b) CONSENT DECREE.—The April 30, 2008, consent decree filed in the United States District Court for the Eastern District of North Carolina regarding off-road vehicle use at Cape Hatteras National Seashore in North Carolina shall not apply after the date of the enactment of this title.

TITLE XI—GRAZING IMPROVEMENT ACT OF 2012

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Grazing Improvement Act of 2012''.

SEC. 1102. TERMS OF GRAZING PERMITS AND LEASES.

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) by striking ''ten years'' each place it appears and inserting ''20 years''; and

(2) in subsection (b)—

(A) by striking ''or'' at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.''.

SEC. 1103. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

''SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

''(a) DEFINITIONS.—In this section:

''(1) CURRENT GRAZING MANAGEMENT.—The term 'current grazing management' means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

''(2) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture, with respect to National Forest System land; and

''(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

''(b) RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING.—A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate—

''(1) section 402;

''(2) section 19 of the Act of April 24, 1950 (commonly known as the 'Granger-Thye Act'; 16 U.S.C. 580l);

''(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

''(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–50).

''(c) TERMS; CONDITIONS.—The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

''(d) CANCELLATION; SUSPENSION; MODIFICATION.—Notwithstanding subsection (c), a permit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

''(e) RENEWAL TRANSFER REISSUANCE AFTER PROCESSING.—When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned may renew or reissue the permit or lease for a term of 20 years after completion of processing.

''(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned may, at their sole discretion, be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if—

''(1) the decision to renew, reissue, or transfer continues the current grazing management of the allotment;

''(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the land use and resource management plan of the allotment, as determined by the Secretary concerned; or

''(3) the decision is consistent with the policy of the Department of the Interior or the Department of Agriculture, as appropriate, regarding extraordinary circumstances.

''(g) PRIORITY AND TIMING FOR COMPLETING ENVIRONMENTAL ANALYSES.—The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis regarding any grazing allotment, permit, or lease based on the environmental significance of the allotment, permit, or lease and available funding for that purpose.

''(h) NEPA EXEMPTIONS.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the following:

''(1) Crossing and trailing authorizations of domestic livestock.

''(2) Transfer of grazing preference.''.

TITLE XII—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT ACT

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Target Practice and Marksmanship Training Support Act''.

SEC. 1202. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(2) in recent years preceding the date of enactment of this title, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(5) Federal law in effect on the date of enactment of this title, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this title is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 1203. DEFINITION OF PUBLIC TARGET RANGE.

In this title, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 1204. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate archery or rifle, pistol, or shotgun shooting;''.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(2) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(3) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(4) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(2) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.''; and

(3) in subsection (c)(1)—

(A) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

SEC. 1205. LIMITS ON LIABILITY.

(a) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the ''Federal Tort Claims Act''), any action by an agent or employee of the United States to manage or allow the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(b) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for any injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(1) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(2) located on Federal land.

SEC. 1206. SENSE OF CONGRESS REGARDING COOPERATION.

It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

TITLE XIII—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2012

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Chesapeake Bay Accountability and Recovery Act of 2012''.

SEC. 1302. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to $100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to $50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this title for which the President submits a budget to Congress.

SEC. 1303. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities in the Chesapeake Bay watershed that includes—

(1) definition of specific and measurable objectives to improve water quality, habitat, and fisheries;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 2 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this title.

(e) INCLUSION OF PLAN IN ANNUAL ACTION PLAN AND ANNUAL PROGRESS REPORT.—The Administrator shall ensure that the Annual Action Plan and Annual Progress Report required by section 205 of Executive Order 13508 includes the adaptive management plan outlined in subsection (a).

SEC. 1304. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 2 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section, the term ''Chesapeake Executive Council'' has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

SEC. 1305. DEFINITIONS.

In this title, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term ''adaptive management'' means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term ''Chesapeake Bay State'' or ''State'' means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term ''Chesapeake Bay watershed'' means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term ''chief executive'' means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(7) RESTORATION ACTIVITIES.—The term ''restoration activities'' means any Federal or State programs or projects that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.

(B) Planning.

(C) Feasibility studies.

(D) Scientific research.

(E) Monitoring.

(F) Education.

(G) Infrastructure Development.

TITLE XIV—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION ACT

SEC. 1401. SHORT TITLE.

This title may be cited as the ''National Security and Federal Lands Protection Act''.

SEC. 1402. PROHIBITION ON IMPEDING CERTAIN ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION RELATED TO BORDER SECURITY.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to achieve operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109–367)) over the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—

(1) AUTHORIZATION.—U.S. Customs and Border Protection shall have immediate access to land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that assist in securing the international land borders of the United States:

(A) Construction and maintenance of roads.

(B) Construction and maintenance of fences.

(C) Use vehicles to patrol.

(D) Installation, maintenance, and operation of surveillance equipment and sensors.

(E) Use of aircraft.

(F) Deployment of temporary tactical infrastructure, including forward operating bases.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906'') (16 U.S.C. 431 et seq.), the Act of August 21, 1935 (16 U.S.C. 461 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.), the

Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the Otay Mountain Wilderness Act of 1999 (Public Law 106–145, 113 Stat. 1711), sections 102(29) and 103 of California Desert Protection Act of 1994 (16 U.S.C. 410aaa et seq.), the National Park Service Organic Act (16 U.S.C. 1 et seq.), Public Law 91–383 (16 U.S.C. 1a–1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628), section 10 of the Act of March 3, 1899 (33 U.S.C. 403), the Act of June 8, 1940 (16 U.S.C. 668 et seq.), (25 U.S.C. 3001 et seq.), Public Law 95–341 (42 U.S.C. 1996), Public Law 103–141 (42 U.S.C. 2000bb et seq.), the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.), the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.), the Mineral Leasing Act (30 U.S.C. 181, et seq.), the Materials Act of 1947 (30 U.S.C. 601 et seq.), and the General Mining Act of 1872 (30 U.S.C. 22 note).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, or mining, on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

SEC. 1403. SUNSET.

This title shall have no force or effect after the end of the 5-year period beginning on the date of enactment of this Act.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 112–539. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1540

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–539.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, line 13, strike ''151'' and insert ''137''.

Page 52, line 15, strike ''2009''.

Page 52, strike line 16 and insert ''numbered 472/113,006A, and dated June 2012.''.

Page 52, strike line 25, and insert ''(3) by donation or exchange only (and in the case of an exchange, no payment may be made by the Secretary to any landowner). No private property or non-''.

Page 53, line 4, insert ''to'' after ''construed''.

Page 60, beginning on line 22, strike ''100-foot-wide corridor'' and insert ''corridor of not more than 100 feet in width''.

Page 61, after line 2, insert the following (and redesignate the subsequent paragraphs accordingly):

''(2) within one mile of the route, on the date of the enactment of this section, of the Stehekin Valley Road;''.

Page 61, strike lines 7 through 13 and insert the following:

''(b) NO NET LOSS OF LANDS.—

''(1) IN GENERAL.—The boundary adjustments made under this section shall be such that equal amounts of federally owned acreage are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.

''(2) STEHEKIN VALLEY ROAD LANDS.—The newly designated wilderness shall include the lands along the route of the Stehekin Valley Road that are replaced by the reconstruction.

''(3) EQUALIZATION OF LAND.—If the lands described in paragraph (2) contain fewer acres than the corridor described in subsection (a), the Secretary may designate additional Federal lands in the North Cascades National Park as wilderness, but such designation may not exceed the amount needed to equalize the exchange and these additional lands must be selected from lands that qualify as wilderness under section 2(c) of the Wilderness Act (16 U.S.C. 1131(c)).

''(c) NO SALE OR ACQUISITION AUTHORIZED.—Nothing in this title authorizes the sale or acquisition of any land or interest in land.

''(d) NO PRIORITY REQUIRED.—Nothing in this title shall be construed as requiring the Secretary to give this project precedence over the construction or repair of other similarly damaged roads in units of the National Park System.''.

Page 69, line 17, strike ''2022'' and insert ''2019''.

Page 71, after line 13, insert the following:

(e) FUNDING.—Subsection (f) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

Page 87, strike lines 22 and 23 and insert ''to 90 percent of the funds apportioned to it under section 669c(c) of this title to acquire land for, expand, or construct a public target range.''.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

This amendment makes some technical, clarifying, and conforming changes to the underlying bill. It amends title IV to delete a portion of the land that the National Park Service does not want to acquire for the San Antonio missions and which would expose it to liability for cleanup costs.

It conforms the text of title VI to match what the House passed in the 111th Congress in H.R. 2806.

And it conforms title VIII with the leadership protocols regarding length and amount of authorizations.

And, finally, it clarifies what funds States may use to increase access to target ranges under title XII.

With that, I urge adoption and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise to speak on the manager's amendment.

The CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. On the manager's amendment, we have no problem with the technical changes to the legislation. The content remains the same and the opposition remains the same.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I urge adoption of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–539.

Mr. DEFAZIO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 47, after line 16, insert the following new subsection:

(k) CONDITION ON SEALASKA EXPORT OF UNPROCESSED TIMBER.—The conveyance to Sealaska of Federal land under this title shall be subject to an additional covenant that Sealaska comply with the export restrictions on unprocessed timber contained in the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620 et seq.) regarding any timber removed from the conveyed land notwithstanding the geographical limitation on the applicability of such Act only to timber originating from lands west of the 100th meridian in the contiguous 48 States.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, my amendment is simple. What it says is that should this legislation pass and the 100,000 acres of forest pass over to the Sealaska Native corporation, a for-profit corporation, that we would ban the export of unprocessed logs from those lands. This would be consistent with the law that applies to the lower 48 west of the Mississippi River.

In 1990, I partnered with Senator Bob Packwood from Oregon to make permanent what had then been an appropriations rider ban since the era of Wayne Morris, and the rationale for that was that we should not be a tree farm for other nations. We want to be an industrial Nation. We want to get value added. We want to export finished products overseas.

We've seen in the last couple of years a flood of private-lands exports from Oregon and Washington, which is timber actually being wasted. Until very recently, the Chinese were paying above-market prices for raw logs,

Douglas fir logs, which they were using, prime timber, one time in construction forms, and then discarding, an incredible waste of a resource and also an economic loss to the Pacific Northwest.

Despite the fact that Washington State exported $1 billion worth of non-Federal raw logs last year, which is twice the amount that they exported just 2 years before, the number of logging jobs did not increase despite this export, and the number of sawmill jobs dropped by a third in Washington State. We're exporting a limited natural resource to which we could add value through what we have, the most productive mills in the world in the United States of America. And instead, those logs are going overseas, and we're actually losing jobs.

Yes, it is profitable for the private landowners, and we don't have restrictions on the export of private logs. But this is public forest lands today which would be converted to private forest lands, and we believe that the potential benefits should be maximized should this happen and that these logs should be manufactured before being exported. If they were exported, I would say in fact there would be a substantial raw-log market in my State because my mills are importing timber from around the world, actually, and from other States in the U.S. to keep their mills running.

In Oregon, non-Federal raw-log exports, again private-land exports, have doubled over the last 3 years to $2.3 billion in value while my sawmills and logging industry reached new lows. This harvesting for export of raw logs is not benefiting the local economies or the United States of America. And in Alaska, raw-log exports from Alaska to China have increased 16-fold over the last decade. Yet the economic benefits of running those logs or potentially running those logs through sawmills was not realized, benefiting rural communities.

I have many depressed rural areas that I represent. We're fighting over how we can get some more logs off Federal lands, logs which can't be exported. These logs could not only benefit Alaskans who could use the manufacturing jobs, and perhaps would see some new investment in sawmill capacity should this amount of timber come onto the market, but also potentially other west coast States, including Oregon and Washington, where our sawmills are struggling to find adequate supply.

So I believe this would be a beneficial, commonsense amendment. It would bring Federal logs, Federal trees, Federal forests, and would make the use of those logs, should they be harvested, consistent with the rest of the Federal lands in the western United States.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield 4 minutes to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. I strongly oppose this amendment. I know this amendment may have good intentions, but it is misguided. It will hurt the employment in the Native villages of Alaska. We have studies that show that the employment would not increase if we cannot export some of our logs.

By the way, this amendment was in the Natural Resources Committee, and it was defeated 30–13.

Last night, the Alaska Forest Association wrote in strong opposition to the amendment. And, very frankly, it is not right for the government to tell somebody on private land where they can sell their product. The only person who should be able to do this is the owner of a product. We don't tell where the Californians can sell their rice. We don't tell Weyerhaeuser where they should sell their timber. And so we shouldn't be telling a private landowner where to sell their timber.

In fact, if we had the Tongass National Forest, what little land we have left of less than a million and a half acres that is federally owned as far as harvesting capability, if the Forest Service would do their job, we'd have some timber to harvest, but they're not doing it. But what timber they do harvest on Federal land, they allow 50 percent of old-growth timber sales and 100 percent of new growth, 100 percent to be sold. So this is a little bit, I say, not sincere in the sense that this is not going to create jobs, and the Federal Government is already allowing timber to be sold wherever they wish to.

I would suggest respectfully that the amendment is not placed correctly. I would like to keep the timber in the United States, but if the market's not there, or if the bid is not as high as overseas people who bid on it, then you have to let the private person, in fact, sell his timber.

I would suggest respectfully that the thing that concerns me the most in this whole argument is some of the arguments against this legislation. This is about a Native group. It's a corporation, but it's a Native group of villages put together that have a high unemployment. We're getting all kinds of bull dip all across the Internet now saying that this, in fact, is going to give away. It's talk about roads being given away. This is timber area that has already been cut, and they do not want to cut the old timber area.

□ 1550

They're trying to have a good industry built by silviculture, and this is what's so important here. But for some reason, like I say, they're winning the ''bull dip'' awards of the whole year on this legislation.

Now, I understand what the gentleman is trying to do, but it's not right to have a private entity be told by the Federal Government where they can sell their product. We don't tell rice growers or tell anybody else where to sell their product. They sell it to the best market, and this is about the best market.

This would be wrong because they will have timber in a few years. I'd say maybe 50 years they'll have the best timber stand in the whole State of Alaska because this area has already been cut. They'll take them thin, and they'll be able to sell this timber at a high price, probably to the United States by then because we'll all be long gone.

The CHAIR. The gentleman from Oregon has 30 seconds remaining.

Mr. DEFAZIO. I yield myself such time as I may consume.

I certainly respect the gentleman from Alaska, and I know that it's his intention to benefit the people of Alaska. I've been involved in this issue now for almost—well, for 22 years on the issue of exporting raw logs. In fact, I did try and restrict the export of private logs back there in 1990 and couldn't get that, but at least we got the Federal and at least we've kept the State, and we do get value added. And for every 1,000 board feet of timber harvested, we get more jobs than just a logging job, a trucking job, and a loading it on the ship job. We get the jobs in the mills. I would argue that the same would flow to Alaska should this amendment pass.

With that, I yield back the balance of my time and urge my colleagues to support the amendment.

The CHAIR. The gentleman from Washington has 2 minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Chairman, I rise in opposition, obviously, to this amendment because this amendment would single out one particular group of Native Alaskans for restrictions that currently only apply to timber harvested from certain Federal lands in the lower 48.

Now, the irony here, as was pointed out by the gentleman from Alaska, is that the Forest Service in the Tongass allows for 100 percent export of red cedar harvested in the Tongass and 50 percent of old growth harvested in the Tongass. So I think it is, in all honesty, Mr. Chairman, a bit hypocritical to impose the domestic limitations on Natives while the Forest Service is doing just exactly the opposite.

Now, I'll also add that this amendment does not affect other landowners on the Tongass; it only affects the Natives of Sealaska. Now, I don't think that's really what we should be doing here on the floor of the House is singling out one group for a penalty, and that's precisely what this amendment does.

So I urge rejection of this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–539.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 83, after line 21, insert the following new section:

SEC. 1104. GRAZING FEE PILOT PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to conduct a pilot program in fiscal years 2013 through 2016 to collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management.

(b) FEE AMOUNT AND COLLECTION.—

(1) AMOUNT.—The fee authorized by this section shall be in the amount of $1 per Animal Unit Month, and shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee under section 4130.8–1 of title 43, Code of Federal Regulations.

(2) DEPOSIT OF PENALTIES.—Penalties assessed under this subsection shall be deposited in the general fund of the Treasury.

(3) APPLICABILITY.—Nothing in this section affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315 et seq., section 205(b) of Public Law 94–579 (43 U.S.C. 1751(b)), section 6(a) of Public Law 95–514 (43 U.S.C. 1905), Executive Order 12548, or any administrative regulation.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, we're about to talk about grazing fees. For people in many parts of the country, they may not know what that is. That is that, on Federal lands across the country, cattlemen can bring their cattle onto Federal lands—that is, the public lands of the United States—and graze. And what are they charged? Well, they're charged $1.35. That's exactly what they were charged in 1986.

Now, right next to this Federal land, in many States, there is State land. That State land in Colorado is very valuable; but they ensure, the Governor of Colorado, that the cattlemen there in that State pay $10 to graze, not 1.35. In Montana, cattlemen have to pay $7.90. In Utah, they have to pay $7.30. But on the public lands in each of those States—that is, the Federal lands—it's 1.35, just hasn't increased. And who pays the price? Well, the Federal taxpayer pays the price because the cattlemen get to basically have this incredible subsidy.

So, just to use the analogy, when I started working, I got paid $1.35 when I was a kid. I'm sure there are many people who would still like to just pay $1.35 for a kid to work in the supermarket, but they can't do it because time moves on—unless you're a cattleman, where they have locked that minimum price into a hermetically sealed, cryogenically frozen price, $1.35. That's great, except for the Federal taxpayer who cannot collect all of the money they need.

Or should we just say, for the sake of discussion, that you happen to have a rent-controlled apartment in New York City. The rent was set back in 1986 or 1976, and now the markets have raised that price up to perhaps $4,000. The Republicans would say, well, rent control, that's good; we like keeping the price that way because it benefits a certain class of people. And I understand the Republican philosophy of freezing in prices that way—keeping the minimum wage as low as possible, keeping the rent control price for an apartment as low as possible. I understand the government intervention role of the Federal Government not allowing the free market to determine the price of something. But here what happens is that it balloons the Federal deficit because people aren't able to collect what we absolutely know to be the price to graze for a cow per day. We know what the price is because, in the adjoining land in Colorado or Utah or in Montana or in Washington State, we know what the State is charging on State public lands.

So this is just an attempt to give the Department of the Interior the ability to raise by $1—not all the way up to $10, not all the way up to $7, but just $1 from $1.35 up to $2.35—just as a little experiment just to see what happens out there in the market when people actually have to pay something that even remotely approximates what the price to graze would be.

At this point, Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield 4 minutes to the gentleman from Idaho (Mr. LABRADOR), the author of the title of this bill.

Mr. LABRADOR. Mr. Chairman, I rise in strong opposition to this amendment, and let's talk about some facts and some figures and some numbers.

The good gentleman from Massachusetts continues to say that we need to treat this land the same as private land. The thing that's really fascinating to me is that we have in Colorado and Utah and Idaho many people who would like to actually do their grazing on State lands or private lands, but the difference is that in Massachusetts only 1.6 percent of the land is actually Federal land. In fact, if you look at the acreage, 81,000 acres in Massachusetts are Federal lands. That's why they can actually rely on many other things for their grazing and many other things that they do.

In Idaho, 68 percent of the land is Federal land. In fact, we're talking about 32.5 million acres in Idaho that are actually having to be managed by the Federal Government and that we have to deal with on a daily basis in the State of Idaho.

I think most grazers, most producers would actually like to be doing it on State lands where they actually will be paying more, but they actually receive more benefit for being on the State-owned lands than the State-managed lands. My question to the gentleman is: Why doesn't he allow Idaho and other States in the West to do what we want to do, which what we want to do is we actually want to manage our own lands. We have been asking that for a long time.

But it's interesting to me that the States that only have 1.4 percent of Federal lands continue to tell the States that have 68 percent of Federal lands that they cannot manage their own land. If we were allowed to manage our own lands, we would actually be able to charge a little bit more, but we would do away with all the NEPA requirements and all the other requirements that we have to deal with right now when we're on Federal lands.

So I think it's a little bit hypocritical for somebody to come here to the House floor and object to something that they don't even have to deal with in their own State.

□ 1600

Mr. MARKEY. Would the Chair please inform us as to how much time is remaining?

The CHAIR. The gentleman from Massachusetts has 1½ minutes remaining, and the gentleman from Washington has 2½ minutes remaining.

Mr. MARKEY. I will, at this point, continue to reserve the balance of my time.

Mr. HASTINGS of Washngton. Mr. Chairman, I would advise my friend from Massachusetts that I am the last speaker on this amendment, so if he's prepared to close, I'll close.

Mr. MARKEY. I yield myself the remainder of my time.

So this argument that's being made by the Republicans is nonsensical. What you're saying is, that in your home State, on State land, you charge 10 bucks or 7 bucks to the cattlemen to graze. But on Federal land it's only a buck 35 in your State. And your answer to raising the price for cattlemen is that we should be having a debate over whether or not the State of Colorado or Montana controls all of the Federal land in your State. Then you'll begin to debate whether or not cattlemen should get away with only a buck 35?

You know, you're giving new definition to the term ''free range beef.''

You're allowing for the cattlemen in these States to get away with murder, and you're not even debating the issue of how they get away with this.

That's all we want from you. Tell us why you think they deserve a buck 35. You don't even want to reach that issue. You want to go off on the secondary issue of how much land in each State is controlled by the Federal Government, which is not what we are debating. We're debating how cattlemen get away with this bargain basement price that then comes to every other State to make up the difference in the Federal deficit because you're unwilling to collect it.

Meanwhile, you say to Grandma, higher rates for Medicare. You say to kids in school, higher payback for the loans that you take out. But for the cattlemen in your home State, somehow or other you don't understand that this is a debate that goes to the heart of why it is the people are very unhappy with the way the Federal Government operates.

I yield back the balance of my time.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would remind Members to address their remarks to the Chair.

Mr. HASTINGS of Washngton. I yield myself the balance of my time.

Mr. Chairman, this is a very interesting debate. But let's just put some facts as to what this amendment would do. It would amount to a nearly 75 percent increase on the fees for public land grazers. Now, let me emphasize the word ''public land,'' because we hear this all the time, and the idea is that public land is owned by all Americans, even people that live in States where there's not any Federal lands.

But I would just, Mr. Chairman, advise my colleagues that people that live on public lands own the public lands too. If the first argument is correct, then the second argument is also correct.

What is interesting about this grazing fee debate is, if this gazing fee is raised, it could potentially put livestock producers out of business. Now, maybe that is what the goal is of my good friend from Massachusetts, because that is certainly the stated goal of some environmental extremist groups.

What is also interesting and, as was pointed out by my colleague from Idaho, when you operate on Federal lands you are subjected to endless litigation and review stemming from NEPA and outside attacks by environmental groups.

But probably more important, and this is the distinguishing part on this whole debate: some people claim that these ranchers are subsidized. But the fact is, when the West was settled, we were never given an opportunity to buy these lands for State purposes, and they remained in Federal control. And so as a result, everybody has a say in public lands.

What my colleague from Idaho is simply saying is, if we had control of our public lands, whether it's State land or private or county, we would probably manage it better. But we don't have that opportunity because we were never given the opportunity. And so, as a result, we have to fight off these huge increases that come from people that probably have a different notion, different idea of what it's like.

So I think this is an ill-advised amendment, and I urge its rejection.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF UTAH

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–539.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1401, 1402, and 1403, and insert the following:

SEC. 1401. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) SHORT TITLE.—This section may be cited as the ''National Security and Federal Lands Protection Act''.

(b) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border, that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(c) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have access to Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that assist in securing the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of fences.

(3) Use of vehicles to patrol.

(4) Installation, maintenance, and operation of surveillance equipment and sensors.

(5) Use of aircraft.

(6) Deployment of temporary tactical infrastructure, including forward operating bases.

(d) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(e) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture;

(2) any additional authority to restrict legal access to such land; or

(3) any additional authority or access to private or State land.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes

(g) SUNSET.—This section shall have no force or effect after the end of the 5-year period beginning on the date of enactment of this Act.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, there are basically four elements that are involved in the amendment that I am proposing. The first one is to narrow the list of laws that can be waived by the Border Patrol on these areas to maintain operational control of the land. Presently, it lists 36 bills that could be waived.

Now I want you to know that that number was not irrational. It was not picked out of the air. Thirty-six bills have precedence of what this House has already done.

When the government was trying to finish the fence in California, there were litigations and environmental laws that were prohibiting them from doing that, so the Department of Homeland Security recommended the 36 laws that they thought did or could impede the building of that particular wall along our border. Congress agreed with them and, for the purpose of concluding that wall, we allowed them to waive those 36 rules, regulations, or laws.

Those are the same 36 in this bill. It's nothing additional to it. Well, I take that back. Democrats add one bill in committee that was not part of the original list, and that was fine as well.

What we are now trying to do is admit that about 20 of those really are not going to be a problem, but 16 still could be. So it limits it from 36 to 16, as those that can be waived for the purpose of allowing Border Patrol and Homeland Security to do the job for which they are paid to do.

The second thing, it specifically prohibits any additional access to private property. It eliminates the possibility of Border Patrol reducing public access to any Federal lands, and that includes for purposes of hunting or fishing or off-road vehicles.

It adds a provision to ensure that we are to protect tribal sovereignty, that nothing in this bill may supersede, replace, negate, or diminish treaty obligations or agreements with Indian tribes. Existing practices and negotiation cooperation between the Border Patrol and the tribes will continue.

It also clarifies what is the purpose of operation control, which is to prevent all unlawful entry into the United States, including entry by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

There are three reasons why this amendment, indeed, the underlying bill is important. Number 1, a sovereign country controls its own borders. We are not doing that here. We need to.

Number 2, we will never solve our overall immigration issue until we can guarantee that we can, in some way, lower the anger and the rage and the anxiety that is out there. If indeed we can look at our fellow citizens and, with a straight face, say we have control of the border, all of a sudden the ability of solving other problems, some of which are easy and some of which are complex, the ability to do that increases.

And third, and most importantly, the violence against women—the women who are raped along these trails, whose garments are left on these trees as a trophy to the coyote who raped these women, these woman who have absolutely no other source to go, they have no one to complain to, they have no one to ask for protection. This must stop.

The Border Patrol can't stop this practice. Right now, what we're doing is simply putting up signs saying areas are off limits to Americans, but that does not stop this practice. And unless we can give the Border Patrol access to this territory so they can stop this practice, we're not doing anything about it. We are not solving this particular issue.

I'll add one more time. We have talked about the ''drone zone'' in here, which is something, once again, it's cute and inaccurate. This amendment has nothing do with the ''drone zone.'' It does not authorize, nor does it stop drones. It doesn't authorize black helicopters or stop them, or red-headed stepchildren, or illegal Druids coming to this country as well.

But what it does do is allow our professional Border Patrol to have the same rights of access to Federal land that they have on private property and State land. And it says that we will control our border, we will solve our immigration problem, and we will stop the rape trees. We will stop this heinous practice from going forward, and we will do it positively. That's the purpose of this amendment to this title of the bill.

I reserve the balance of my time.

□ 1610

Mr. MARKEY. I rise in opposition to the amendment.

The Acting CHAIR (Mr. YODER). The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. This amendment is just further evidence that the problem this drone zone bill claims to be solving does not exist and that the underlying bill is a dangerous overreach.

When this legislation was first introduced, we were told that it was necessary to establish this 100-mile drone zone around the entire United States—east coast, west coast, Hawaii, and Alaska. That version of the drone zone looked like a giant red belt surrounding the entire country. Then supporters of the bill decided that they'd gone too far. The bill was altered to say the drone zone would only cover a 100-mile stretch along our northern and southern borders and along the eastern border of Alaska. Even with that change, we were still assured that a blanket waiver of the full list of 36 bedrock environmental laws was absolutely necessary for our border security.

Now we have a further change.

This amendment will reduce the list of laws weighed by the drone zone from 36 environmental laws down to 16 environmental laws. This is the ever-shrinking bill. It gets smaller and smaller as people realize that environmental laws are not the problem when it comes to border security and that the zone created by this bill would harm the environment and individual freedoms for millions of Americans.

The Bishop amendment proves that the underlying bill has always been an extreme and extremely harmful solution to a problem that does not exist. Perhaps if we give supporters enough time, they can shrink this idea down to waiving parking enforcement in a small area around Tucson. This amendment reduces the damage this bill would do, but it does not begin to prevent that damage. Waiving 36 laws was an unnecessary overreach, and waiving 16 laws would be as well.

Limiting the scope of this terrible bill is a small step in the right direction, so there is no reason to oppose this amendment.

I reserve the balance of my time.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MARKEY. Would the Chair please inform the Members as to the time remaining on both sides.

The Acting CHAIR. The gentleman from Massachusetts has 3 minutes. The gentleman from Utah has 30 seconds.

Mr. MARKEY. I yield 1 minute to the gentleman from California (Mr. FILNER).

Mr. FILNER. I thank you, Mr. MARKEY.

I rise in opposition to the bill, especially to the border provisions of the bill, and I rise in support of the Grijalva amendment that is going to be coming.

I represent the entire California-Mexico border. I know how harmful this bill can be. As I read the exemptions from laws, I can see—I don't know—undocumented child labor filling in wetlands.

I mean, come on.

Our natural beauty depends on these protections. These laws protect us, and the Department of Homeland Security, as I understand it, is not in support of these provisions. They testified in July of 2011:

> The U.S. Customs and Border Protection Agency enjoys a close working relationship with the Department of the Interior and with the Department of Agriculture that allows us to fulfill our border enforcement responsibilities while respecting and enhancing the environment.

This excessive exemption from a century's worth of environmental protection laws would affect public lands and national parks all across the country.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield the gentleman an additional 30 seconds.

Mr. FILNER. This would put in danger important parks and monuments, not only in my area, but those such as the Statue of Liberty National Monument, Cape Cod in Massachusetts, Point Reyes in California, Cape Hatteras National Seashore in North Carolina, and scores of others. We must protect these important national parks, recreation areas, and wilderness lands for future generations.

Mr. Chairman, I also invited the gentleman, Mr. DENHAM, whose bill this is, to join me at the border to see what we would be protecting. I don't think he ever answered my letter.

Mr. MARKEY. I am the final speaker on our side if the gentleman from Utah is ready to conclude debate.

Mr. BISHOP of Utah. I am prepared to close when you are ready to close.

Mr. MARKEY. I yield back the balance of my time.

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. BISHOP of Utah. The 36 laws that were originally placed were there when Homeland Security asked for those and when Congress agreed to it. It is the precedent. I am lowering it to 16 out of benefit to you.

I have been on the border. I have been on the border, and I have seen the rape trees. This must stop. I have also been on the border to see there are 48 different organizations that have endorsed the underlying bill, including the National Association of Former Border Patrol Officers, the National Border Patrol Council, the local Border Patrol Council in Arizona, and the National Association of Police Organizations. Those who work this realize the importance of this, and that's why they are supporting it.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–539.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title XIV.

The Acting CHAIR. Pursuant to House Resolution 688, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Out of all the titles cobbled together under this one piece of legislation, title XIV is the most alarming, so I have introduced this amendment to strike it all from the bill.

Not only is it the text of one of the most controversial bills introduced in this Congress, its intent is to expand the scope and the authority of one government agency to achieve a loosely defined objective, an agency that has not even asked for this expanded authority. Title XIV of this legislation would supersize Customs and Border Protection so they could seize control of Federal lands within 100 miles of the northern and southern borders. It would be at their discretion and without any recourse by the public to be able to counter that.

If this bill were to become law, families who use our parks, forests, and wildlife areas in all of these States could be subject to increased surveillance without any notification. We already know what happens to the economic welfare of families and what has happened to the economies of the States of Alabama and Arizona when States pass hostile anti-immigrant laws. This takes the same concept and spreads it across our northern and southern borders.

Right now, Customs and Border Protection isn't suffering from a lack of authority. If anything, it is suffering from a lack of focus. The ability to access Federal lands isn't causing Border Patrol problems. In the most recent GAO report, radios that don't work and the lack of infrastructure and personnel are what they have cited as being barriers.

Yesterday, during the debate over the rule for the bill, the sponsor of the legislation that has become title XIV claimed that we can't deal with the issue of immigration reform before securing our land borders. He went on to say that people are angry about the situation at the border and that, before this anger is addressed, we can't do anything about our broken immigration system, so we are going to pay some lip service to border security to advance what is essentially an anti-environment and anti-immigrant agenda.

That should make many of us angry because it adds to the division in our Nation and to the sense of millions of families in the border region and across this country who feel they are political pawns in a system—in a game—that is never ending. Millions of people live along these 100 miles, and they deserve the same protection from environmental pollution or government overreach that the rest of us in the country enjoy.

The original bill granted DHS a waiver of 36 laws. The recently introduced amendment would allow that list to be 16. The fact that we were able to concede half of the original list proves that the bill is, from the outset, an unnecessary overreach. The 16 laws left in the legislation are not minor statutes. They include the National Historic Preservation Act, the Endangered Species Act, the Antiquities Act, the Wilderness Act, and the Administrative Procedure Act.

The solution to a broken system along the border is comprehensive immigration reform. If you took that 100-mile zone along the southern border and made it into a State, it would lead the Nation in poverty, unemployment, educational attainment, the lowest wages, the most uninsured, and the lowest economic growth. Yet this legislation and title XIV, once again, take this region, and instead of providing support and comprehensive attention to it, we further marginalize and isolate it.

□ 1620

All the laws that are being waived and eliminated are all landmark pieces of legislation that guide and manage our Federal lands, resources that belong to every single American taxpayer. Throwing away decades of law that help protect and preserve our Federal lands makes no sense. The supporters of this legislation will say it is necessary to address the horrors and violence that occur on the border. That's not true. It's back-door amnesty for extremist anti-environmental groups, industries, and developers who lust after our public resources for private profit at taxpayers' expense.

That is why I've introduced my amendment to strike the title from the bill. I encourage its support and reserve my time.

Mr. BISHOP of Utah. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I hope I will not take the 5 minutes of this time.

With all due respect for my good friend from Arizona, for whom I have a great deal of admiration, I would emphasize again that the title of this section is National Security and Federal Lands Protection. It does not extend to any other property except those that belong to the Federal Government on our borders. It has a 5-year limitation on it. There is a sunset provision so it can be reviewed. But more importantly, the elements that are in this particular title are there for a reason, there is precedent for them. One hundred miles is what the legal definition of border land actually is. The 36 laws—I'm ready to go back to those. The 36 laws were the laws that were presented by the Department of Homeland Security as those potential laws that could cause them damage, and this Congress agreed to that precedent. Congress established that they could be waived for that specific purpose.

I want to once again tell you what Secretary Napolitano said about this particular issue of border security when she first came into office: The removal of cross-border violators from public lands is a value to the environment.

You want to protect the environment, get the drug cartels and the human traffickers off of that particular area. It is the removal of those violators from public lands that is a value to the environment, as well as to the mission of the land managers, which is once again the 48 groups that talk about and support this. They come from conservation groups, they come from agriculture groups, but more importantly, they come from the Border Patrol agents themselves. Those are the ones who have come forth and testified that they need special ability of having access to this land if we're going to control the border, which is what a sovereign country does.

Mr. Chairman, this is the word of what their responsibilities are. This is what we have told the Border Patrol they have to do: Prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders

of the United States. That's in this title. That's their job. That's what the Border Patrol has requested to do.

All we need to do is give them the tools they need to be able to accomplish that, tools on Federal land that will mirror the tools they have on private and State lands. Let them do their job. They need access to this area to patrol it and to apprehend the bad guys. Give them that opportunity.

With that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, if I may inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Arizona has 30 seconds remaining.

Mr. GRIJALVA. Mr. Chairman, I yield the remaining time to the gentleman from North Carolina, the ranking member of DHS appropriations, Mr. PRICE.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in strong support of the Grijalva amendment, which would restore proper environmental oversight and protections to construction performed by the Border Patrol.

Even with the Bishop amendment just adopted, the bill waives 16 different environmental laws—for example, the National Environmental Policy Act and wildlife refuge laws—to give DHS operational control over these lands.

Mr. Chairman, that would mean that on our northwest border, the Border Patrol would have largely unfettered access, and environmental protections would be waived, within 10 miles of Seattle. In Arizona, this would encompass all of Tucson. In New York, land in Buffalo and Syracuse could come under control. These are sweeping and unnecessary provisions, and the Department of Homeland Security has said it does not want them.

Having worked on this issue for years as chairman and ranking member of the Homeland Security Appropriations Subcommittee, I urge my colleagues to adopt the amendment.

Mr. BISHOP of Utah. Mr. Chairman, can I just inquire if there is any time left from either side?

The Acting CHAIR. The gentleman from Utah has 2¼ minutes remaining. The time of the gentleman from Arizona has expired.

Mr. BISHOP of Utah. Let me just say once again, I appreciate the arguments that are given.

When I have been on the border and have been able to talk to the people who work on the border about what they need to protect the border, once again they're telling us that they need the access. The ability to waive these law, these rules, these regulations is what we have done in the past. Congress already did it once before. There is precedent. This is not something that is new, but this is what is definitely needed. This is the right thing to do.

I urge you to reject this particular amendment.

And in all fairness, Mr. Chair, I would like to yield 30 seconds to the gentleman from Arizona so he has a chance to close on his particular amendment.

Mr. GRIJALVA. Thank you, Mr. Chairman. I appreciate your courtesy.

I would at this point say that I appreciate the time, and I'll wait to call for a vote. Thank you very much.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–539.

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 104, after line 8, insert the following new subsection:

(e) LIMITATION ON APPLICATION WITH RESPECT TO HAWAII.—Subsections (a) and (b) shall not apply with respect to activities by U.S. Customs and Border Protection on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture in Hawaii.

The Acting CHAIR. Pursuant to House Resolution 688, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

Ms. HANABUSA. Mr. Chair, first I would like to begin by saying that we've had my amendment before the committee and the representations that were made with it were that it did not cover Hawaii. I'm here to basically reaffirm that on the floor of the House.

This all started because when I was home, I was the speaker at the 50th anniversary of the USS Arizona Memorial. As I sat there, I began to understand that, in fact, the National Park Service has jurisdiction over the *Arizona* and all of its facilities in Pearl Harbor. So it caused me to go back and check exactly how many lands are under the jurisdiction of the National Park Service and Fish and Wildlife, which would fall within this law.

There are 357,772 acres in the National Park Service and 298,980 acres under the Fish and Wildlife Service. As you all know, with 100 miles from any border, it would cover the whole State of Hawaii. But, Mr. Chair, I believe with the representation from the gentleman from Utah, I would be willing to withdraw my amendment if I'm again assured that this is not intended to cover Hawaii.

Mr. BISHOP of Utah. Will the gentlelady yield?

Ms. HANABUSA. I yield to the gentleman from Utah.

Mr. BISHOP of Utah. Yes, Hawaii was taken out in committee. It is not put in with the amendment that was just passed.

Ms. HANABUSA. With that, Mr. Chair, I respectfully ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Chair understands that amendment No. 7 will not be offered.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–539 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DEFAZIO of Oregon.

Amendment No. 3 by Mr. MARKEY of Massachusetts.

Amendment No. 5 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 236, not voting 12, as follows:

[Roll No. 383]

AYES—184

Ackerman	Clay	Frank (MA)
Andrews	Cleaver	Fudge
Baldwin	Clyburn	Garamendi
Barber	Cohen	Gerlach
Barrow	Connolly (VA)	Gonzalez
Bartlett	Conyers	Green, Al
Bass (CA)	Cooper	Green, Gene
Becerra	Costa	Grijalva
Berkley	Costello	Gutierrez
Berman	Courtney	Hahn
Bishop (GA)	Critz	Hastings (FL)
Bishop (NY)	Crowley	Heinrich
Blumenauer	Cuellar	Higgins
Bonamici	Cummings	Himes
Boswell	Davis (CA)	Hinchey
Brady (PA)	Davis (IL)	Hinojosa
Braley (IA)	DeFazio	Hochul
Brown (FL)	DeGette	Holden
Butterfield	DeLauro	Holt
Capps	Deutch	Hoyer
Capuano	Dicks	Israel
Cardoza	Doggett	Jackson Lee (TX)
Carnahan	Doyle	Johnson (GA)
Carney	Edwards	Johnson (IL)
Carson (IN)	Ellison	Johnson, E. B.
Castor (FL)	Engel	Jones
Chandler	Eshoo	Kaptur
Chu	Farr	Keating
Cicilline	Fattah	Kildee
Clarke (MI)	Filner	Kind
Clarke (NY)	Fitzpatrick	

Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—236

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Hirono
Honda
Huelskamp
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—12

Altmire
Davis (KY)
Dingell
Hayworth
Huizenga (MI)
Hurt
Jackson (IL)
Lewis (CA)
Miller (FL)
Ryan (OH)
Sánchez, Linda T.
Young (FL)

□ 1655

Messrs. SMITH of Texas, BARTON of Texas, and TIPTON changed their vote from ''aye'' to ''no.''

Messrs. PETRI, MCDERMOTT, COSTA, and BARTLETT 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, Mrs. EMERSON was allowed to speak out of order.)

WOMEN'S CONGRESSIONAL SOFTBALL

Mrs. EMERSON. Mr. Chairman, my softball co-captain, my colleague from Florida, DEBBIE WASSERMAN SCHULTZ, and I would like to remind all of you, all of our colleagues, that tomorrow night, once again the bicameral, bipartisan softball team plans to beat the Washington news media in a softball game; and we want to make sure that all of you know the details so you can join us in the very oppressive heat that we will be playing in.

I yield to my co-captain.

Ms. WASSERMAN SCHULTZ. I thank the gentlelady for yielding. We are really excited. This is the fourth annual congressional women's softball game. We are the defending champions. We beat the Bad News Babes last year. We have expanded our team. We have the gentlelady from Alabama who's a ringer this year, Mrs. ROBY. You should come out and see her play; she's got some skills.

So even though the press corps has been talking some good trash, and they're even apparently practicing on the beach while at the G–20, we have jelled as a team, come together in a bipartisan, bicameral way. And between our superior fielding, hitting, and strategic approach to the game, we look forward to continuing as the champions of the Annual Congressional Women's Softball Game. It's 7 p.m. tomorrow night, Watkins Recreation Center. Come on out, encourage your staff. This year it is a $10 entry fee, but all for a good cause, to raise money for the Young Survival Coalition, which is an organization that raises awareness and supports young survivors of breast cancer.

And I would just conclude by thanking all Members and staff, as a breast cancer survivor myself, and a young one at that, it is so personally and deeply meaningful to me that the congressional family is always so supportive of the women Members. Thank you to my congressional sisters. You guys are awesome.

Mrs. EMERSON. And I want to just thank MARTHA ROBY for helping our average age go way, way, way down.

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 268, not voting 8, as follows:

[Roll No. 384]

AYES—156

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—268

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—8

Altmire
Dingell
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1702

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 247, not voting 8, as follows:

[Roll No. 385]

AYES—177

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—247

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—8

Altmire
Dingell
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

Mr. BISHOP of Georgia changed his vote from ''aye'' to ''no.''

□ 1707

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. WOODALL, Acting Chair 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. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes, and, pursuant to House Resolution 688, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1710

MOTION TO RECOMMIT

Mr. PERLMUTTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PERLMUTTER. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Perlmutter moves to recommit the bill, H.R. 2578, to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, insert the following:

TITLE XV—REDUCING THE RISK OF WILDFIRE; PROTECTING TRIBAL SOVEREIGNTY; MAKE IT IN AMERICA

SEC. 1501. REDUCING THE RISK OF WILDFIRE.

The Secretaries of Agriculture and Interior are authorized to enter into contracts or agreements with a State to permit the State to treat insect-infected trees and remove hazardous fuels on Federal land located in the State, in order to reduce the risk of wildfire. Priority shall be given to the protection of homes, schools, and healthcare, nursing, and assisted living facilities.

SEC. 1502. PROTECTING TRIBAL SOVEREIGNTY.

Nothing in this Act shall override Tribal sovereignty, including with respect to Native American burial or other sacred sites.

SEC. 1503. MAKE IT IN AMERICA.

The Secretary of the Interior shall ensure that all items offered for sale in any gift shop or visitor center located within a unit of the National Park System are produced in the United States.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. PERLMUTTER. Mr. Speaker, I rise in support of this motion to recommit. It is the final amendment to the bill. It will not kill the bill and, if adopted, the House will vote on final passage in this series of votes.

The amendment has three parts. They are short and direct. The first involves wildfires and the ability and the authority of the Secretary of the Interior and the Secretary of Agriculture to enter into contracts with the States to clear hazardous fuel to prevent wildfires, as well as treat insect-infested trees. And we'll get into that.

The second part is very clear. Just says, nothing in this act shall override tribal sovereignty, including with respect to Native American burial or other sacred sites. It speaks for itself.

Finally, it's about making sure that in the parks and in the gift shops, that the goods that are sold there are made in America.

So let's just begin with the wildfire piece. As Smokey the Bear says, ''Only you can prevent forest fires.''

Right now, across the West and throughout America we have wildfires dotting our country: 500,000 acres across our country are on fire right now, in Alaska, Arizona, California, Nebraska, Nevada, New Mexico, North Carolina, Wyoming, and in my home State of Colorado.

Right now we're battling a very big wildfire just north of where I live called the High Park fire—60,000 acres are currently burning. We have about 50 percent contained through the efforts of 1,800 firefighters, some of the best Federal firefighters we have, as well as State and local firefighters who are doing a tremendous job in a situation where we have very dry conditions, record temperatures, and a very erratic fire.

Now, what we can do and what is missing from this bill is any public policy concerning what to do with insect-infested forests. And we've had a terrible infestation of what they called the pine beetle. And it makes tremendous fuel.

And so what this bill does is it gives the authority to the Agriculture Department and the Interior Department to work with the States to clear these insect-ravaged forests. We need to have that done to prevent forest fires in the future. It's as simple as that. It ought to be very easy for everyone to support that.

Secondly, again, this amendment says specifically, the act shall not override tribal sovereignty. We've reached treaties with the various tribes. Those things control, not this particular bill, and we state that specifically.

Finally, we address something that I think irks many of us in this Chamber. When we have a visitors center in our national parks which is selling goods made in other countries, it just seems wrong. We want to make things in America. Manufacturing in America is key to this country's economic growth and prosperity. We have a saying, ''If we make it in America, we'll make it in America.''

So three very simple, very direct amendments to this bill which make the bill much better, address public policy that is not addressed in the bill that should have been addressed in the bill, especially the wildfire mitigation piece, something that you would have expected to be right in the heart of this thing after Texas was ravaged by so many wildfires last year, and we knew dry conditions existed across the West.

So I urge my colleagues, Democrats and Republicans, to support this commonsense amendment to mitigate and prevent forest fires, to make sure that tribal sovereignty is respected, and that we make things in America so that we make it here in America.

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

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I've had an opportunity several times to come down here to debate the motions to recommit, and I've prefaced virtually every time I've come down here with, history repeats itself.

Mr. Speaker, history is repeating itself one more time. Why do I say that? Because probably the biggest issue that Americans are concerned about is jobs. This is another effort that deals with American jobs by dealing with regulation that slows down economic activity.

So what does the other side do? They try to put up another impediment to a bill that is straightforward, had transparency in committee, had a full debate in committee, and put together to debate on the floor. It's the same arguments that we have that, frankly, are meaningless.

Now, to the essence of what the gentleman's amendment does. All of this is essentially redundant. It's in law right now.

Is this just a political move on the minority's part? Is that what it is?

If the issue is really trying to deal with firefighting in the West, I would remind this body, Mr. Speaker, that 2 weeks ago, we passed legislation to allow the Forest Service to buy tankers to fight forest fires. We've already done that.

All I can say, Mr. Speaker, is that history repeats itself. Let's vote down this motion to recommit and let's vote for the jobs bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. PERLMUTTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend the rules and pass H.R. 2938.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 10, as follows:

[Roll No. 386]

AYES—188

Ackerman
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—234

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—10

Altmire
Cummings
Dingell
Huizenga (MI)
Issa
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1735

Messrs. ROYCE, COFFMAN of Colorado, and TIPTON changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MARKEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 188, not voting 12, as follows:

[Roll No. 387]

YEAS—232

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—188

Ackerman
Amash
Andrews
Baca
Baldwin
Bartlett

Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Guinta
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—12

Altmire
Cummings
Dingell
Huizenga (MI)
Issa
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Schock
Schwartz
Young (FL)

□ 1742

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 387, had I been present, I would have voted "nay."

GILA BEND INDIAN RESERVATION LANDS REPLACEMENT CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2938) to prohibit certain gaming activities on certain Indian lands in Arizona, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 343, nays 78, answered ''present'' 2, not voting 9, as follows:

[Roll No. 388]

YEAS—343

Ackerman
Adams
Aderholt
Akin
Alexander
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (IL)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinchey
Hinojosa
Holden
Huelskamp
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
Latta
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Watt
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (IN)

NAYS—78

Amash
Barber
Bass (CA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Castor (FL)
Cicilline
Costello
Critz
Davis (CA)
DeFazio
DeGette
Deutch
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Filner
Frank (MA)
Grijalva
Higgins
Hochul
Holt
Honda
Hoyer
Johnson (GA)
Johnson, E. B.
Keating
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lummis
Lynch
Markey
Matsui
McCarthy (NY)
McClintock
McDermott
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Owens
Paul
Pingree (ME)
Polis
Price (NC)
Ryan (OH)
Sarbanes
Schakowsky
Scott (VA)
Serrano
Sewell
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Waters
Waxman
Welch
Yarmuth

ANSWERED ''PRESENT''—2

Chu
LaTourette

NOT VOTING—9

Altmire
Dingell
Hirono
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

□ 1749

Messrs. LEVIN and WELCH changed their vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Mr. Speaker, on rollcall No. 388, had I been present, I would have voted "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4480, DOMESTIC ENERGY AND JOBS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112–540) on the resolution (H. Res. 691) providing for consideration of

the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve, which was referred to the House Calendar and ordered to be printed.

MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. WALZ of Minnesota. Mr. Speaker, I have a previous noticed motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Walz of Minnesota moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to resolve all issues and file a conference report not later than June 22, 2012.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Tennessee (Mr. DUNCAN) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Tennessee for being here. I know his commitment to building infrastructure in this Nation is unquestioned. He's been a good friend and a gentleman on the committee.

I think what we're here for today, Mr. Speaker, is the American people deserve better from us. We have a need in this country that is obvious to everyone. The infrastructure in this country is crumbling: 70,000 deficient bridges; nearly half our highways in disrepair. And being a Member from Minnesota, that hot August day almost 5 years ago when the I–35W bridge fell into the Mississippi River is a stark testament of what we can do.

The Transportation Committee, by command of the Constitution, if you will, has always been there to build the post roads. This Nation has built canals, locks, dams, and ports. We've built railroads that connected the continent and spurred the industrial revolution. We've built an interstate highway system that made the American economy the envy of the world. We have possessed vision, we've possessed willpower, and we've done it in a manner that incorporated bipartisan support and, at the end of the day, compromise.

The last bill that passed, SAFETEA-LU, passed by a vote in this House in 2005 of 412–8; in the Senate, 91–4. The previous bill, 2007, 297–86, and 88–5 in the Senate. In 1991, 372–47; the Senate, 79–8. In 1987, over the last 25 years, 350–73. We have the will. We simply need to exercise the political willpower to move this piece of legislation.

So this motion to instruct is very simple. A hundred days ago, the Senate passed their version. It received a vote of 74–22. It is a bipartisan bill.

Now, I will be the first to tell you the prerogative of the House to lead is sacred to us here. We need to have a say in this. We need to make sure that the people's House has their voice in things. The problem we have is we've been sitting in conference committee for 45 days with a deadlock and no end in sight.

So this motion to instruct, yes, it's a nonbinding sense of the House, but I would argue it's far more than that. This is a sense of the American public. They sent us here to do some basic work. They did not send us here to agree with each other on everything, but they did have that understanding that the glue that binds the Nation together is compromise. And there are a very few things that historically have been bipartisan. The transportation bill has been one of those.

So what this MTI asks is: rectify the differences and compromise to the point that we can get something on the floor and finish the work by June 22, this Friday. Then give us the opportunity to exercise the American will by having their Representatives discuss what needs to be there. If we can't come to a compromise, bring us the Senate bill and let's have the up-or-down vote. If it passes, we can move forward. If it doesn't, then we start and go on from there. But I have to tell you, we can't afford to kick this can down the road—and I would say the proverbial ''crumbling road.''

The Chamber of Commerce has made the case:

Failure to keep up with infrastructure needs in the U.S. cost this economy $2 trillion between 2008 and 2009.

Every year we do nothing, we spend over $100 billion on idling tax. We waste 1.9 billion gallons of fuel yearly. That's 5 percent of our fuel needs. That's money going to foreign countries who hate us. They'll hate us for free. We can be more efficient. We cannot waste Americans' hard-earned dollars staring at the bumper in front of them. We can do it safely, and we can move our products to market faster; and we have that power.

I said it this morning. I'll continue to say it. Up above the Speaker's chair up there is the quote from Daniel Webster. How about we do something worthy to be remembered for. How about we come together and pass a bill that the people say, They did the peoples' work. They compromised.

It's not about getting what each of us wants. It's about getting what the American public needs.

I reserve the balance of my time.

Mr. DUNCAN of Tennessee. I yield myself such time as I may consume.

First of all, Mr. Speaker, I appreciate the kind words from the gentleman from Minnesota. He is correct in that I am very much committed to trying to produce and pass a good transportation bill in this Congress. When the gentleman's party was in control of the House and the Senate and the White House a couple of years ago, they couldn't, for various reasons, pass the bill. And I certainly hope we can in this Congress.

For the past 3½ years, about half the time when I've come to the floor I've had some Members on both sides come up to me and say, When are we going to pass a highway bill? And this is my 24th year in this body and I have been involved actively with all of those bills that the gentleman from Minnesota mentioned, all of which passed by overwhelming margins. And as he said, the last highway bill that was passed in 2005 passed with only 8 votes in opposition.

I agree and I think all of the people on our side of the aisle agree in principle with Mr. WALZ's motion to instruct. We should focus our efforts on completing the conference report and delivering a bill to the President's desk before the surface transportation programs expire at the end of this month. Unfortunately, up until this moment, the Senate has not shown a sufficient willingness to address the House's top four priorities: streamlining project delivery; program consolidation; State funding flexibility; and equitable funding formulas not based on past earmarks.

When the average transportation project, Mr. Speaker, takes 15 years to complete, I cannot help but think there's something wrong with the current system. And as the gentleman from Minnesota mentioned, when the will is there, these projects can be completed in record time, such as the I–35 bridge in Minnesota after it collapsed.

Bureaucratic red tape is the main culprit, and much more must be done in the reauthorization bill to accelerate the process by which projects are approved. Every other developed nation is doing similar types of projects in a third or half the time that we are, and it is ridiculous that we are wasting so much money dragging these projects out for so many years. We can accomplish the goal of accelerating the process without harming the environment, but the Senate so far has shown more interest in catering to radical environmentalists than building infrastructure projects.

Program consolidation is another important reform that the House is pushing for in this bill. The Senate insists on including two new programs at the cost of $3 billion a year that would allow the administration to play politics with the funding that should go directly to the States. At a time when the highway trust fund is going broke, we should focus our limited transportation dollars on consolidating programs and eliminating wasteful programs, not creating new ones. Funding

flexibility for the States is critical to allowing the States to fund the most economically significant highway and bridge projects.

□ 1800

The Federal Government should not mandate that States spend their limited Federal aid funding on flower plantings and transportation museums and other questionable projects, while State budgets are squeezed to the breaking point. States need to be given flexibility. Some States need to spend more on bridge replacement. Some States need to spend more on crumbling highways. Some States have done more already on highway beautification and other enhancement-type projects and don't need to spend so much in that area as possibly some other States. States need to be given flexibility.

Most States have a backlog of crumbling bridges and highways needing to be rehabilitated. Why not allow them to focus their limited resources on the greatest needs in their State? The needs vary from State to State.

Finally, Mr. Speaker, the funding formula for how Federal highway funding is distributed to States is based in part at least on the number of earmarks the States received in the last reauthorization bill. Funding formulas should be based on the most equitable factors that are part of a State's transportation system, not which Member of Congress fared the best in the last go around.

I hope these reasonable issues can be resolved before the end of the week.

I reserve the balance of my time.

Mr. WALZ of Minnesota. Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate my friend allowing me to speak on this.

There is no one I have more respect for than my good friend from Tennessee. I had a great time working with him on a variety of things when I was on the Transportation and Infrastructure Committee. But with all due respect, I think the issue here is what we're going to do to renew and rebuild America.

For the first time in history, our Republican friends gave us a partisan transportation reauthorization. Never before have we seen anything like this offered up. There wasn't even a hearing before the full committee before it was advanced. It went right to work session. There was no effort to involve people on the other side of the aisle. We were given a piece of legislation that attacked transit, that scaled down funding, that was against the most popular programs, the ones that have the greatest local involvement, the enhancements. It was an environmental catastrophe. It was so bad that my Republican colleagues couldn't even bring their bill to the floor. They withdrew it. And so we had the ninth extension.

We have been given a bill in the other body that, as my good friend from Minnesota pointed out, received 74 votes. It will give us two complete construction cycles. It does, in fact, accelerate environmental processes. There is a compromise, a bipartisan compromise, on the previous contentious area of enhancements. It is a reasonable way for us to go forward.

Mr. Speaker, in contrast to this, we have a Republican budget that will not even fund the current obligations. It will cut out entirely the ability to move forward with any new Federal partnership for infrastructure.

I think the motion to instruct is a modest step forward. I respectfully suggest that what we ought to do is not just approve the motion to instruct; we ought to approve the Senate bill and get on with business.

Mr. WALZ of Minnesota. I thank the gentleman for his leadership on transportation issues, and with that, I reserve the balance of my time.

Mr. DUNCAN of Tennessee. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), a leading member of our committee.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the motion to instruct.

Passing a transportation bill is about jobs. It's about keeping America competitive in the world. So I, for one, am urging a ''yes'' vote on this motion to instruct. I believe it is critical to America that we pass a transportation bill.

I would like to correct a few facts that my good friend from Oregon just put forward. The gentleman to my recollection has been on the Ways and Means Committee for the past couple of years, 4 years I believe it has been, so I don't know how privy he was to what we did in the House Transportation Committee to try to be inclusive to our Democratic colleagues, to work with them. We worked with them as openly, if not more openly, than Chairman Oberstar when he chaired the committee. We did have a full committee hearing on it. In fact, we had 18 hours of debate. And as I recall, when Chairman Oberstar chaired the committee, we had zero hours of debate in the full committee because a bill from the Democratic-controlled House didn't even make it to the full committee. So we worked hard and we talked with our colleagues. Unfortunately, being bipartisan is not just one party saying that they can't work with another party. It takes two of us to tango. We did in the last bill. I wasn't happy with much of Chairman Oberstar's bill, but to move a bill forward, we said okay, we're with you, we'll move the bill. Our Democratic colleagues chose to make it a partisan fight by not getting together with us.

But I applaud my friend from Minnesota with this motion to instruct. We need to move forward. What we have been negotiating in the Senate, really five provisions on our streamlining that are extremely important—eliminating duplication, where you have a State that's environmental review process is as strong or stronger than the Federal review process, that should take the place. It should substitute for the Federal review process. The number one example of that is California. California is far stricter on environmental reviews than the EPA is. So why don't we allow California to move forward rather than having to go through a NEPA review at the Federal level?

Hard deadlines; concurrent rather than consecutive reviews with hard deadlines. We've been talking with the Senate for the past couple of months about this, but they insist upon having safety valves. What does safety valves mean? That means that an agency can go to the Secretary of Transportation and ask for a waiver and say they need more time. That's not going to help to streamline this process because we know what will happen: it'll continue to prolong these review processes.

Funding thresholds for a NEPA review. If a project receives de minimis amounts of Federal funding, it should not be subject to a Federal NEPA review but should go through the same regulations as a State project. And we've already moved on this. We sent a counteroffer to the Senate moving on our position. So in good faith, that's what we've been doing in the House.

The SPEAKER pro tempore (Mr. CULBERSON). The time of the gentleman has expired.

Mr. DUNCAN of Tennessee. I yield the gentleman 1 additional minute.

Mr. SHUSTER. Categorical exclusions in rights of way. If you're going to replace a bridge in the same footprint, we shouldn't have to go through these endless, long environmental reviews. We should be able to build that quickly and efficiently. In fact, my colleague from Oregon, who is the ranking member on the Highway Subcommittee, has suggested that there is some common ground there. In fact, I quote him, he said, and it had to do with putting streetcars back on the streets:

We're going to have fewer cars on the road, why should we spend a lot of time and money studying it?

And I agree with him.

And finally, when there's a disaster, to eliminate or to reduce significantly these reviews they have to go through, just as in the case of I–35, as was mentioned earlier, to be able to build that bridge in a much more efficient, faster time to get it up and running.

I support the gentleman's motion to instruct, and I stand ready as a Republican on the conference committee to put a bill forward that we can pass here, and I would urge all of my colleagues in the House to support this motion to instruct.

Mr. WALZ of Minnesota. I thank the gentleman from Pennsylvania. He's a good friend and colleague and an honest broker on things.

I agree with the gentleman on the categorically excluded bridges; 96 percent are now. So we can decide now, do we want to bog down on that last 4 percent, or do we want to get a bill forward? I think there's agreement here. I think we're in a clear-cut case of if the perfect gets in the way of the good, the American public pays for that. But I appreciate his support on this and his desire to get a bill done. And I think it's been obvious that he wants this transportation bill done, so I thank the gentleman.

With that, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

□ 1810

Mr. DEFAZIO. I thank the gentleman for yielding time.

Since the founding of our Nation, there has been bipartisan agreement on the need for the Federal Government to play a strong role in interconnecting the States of our country. It was George Washington who said:

> The only binding cement, and no otherwise to be effected but by opening such communications as will make it easier and cheaper for them to bring the product of their labor to our markets.

And that's relevant today, I'll address that in a moment.

The second quote which is relevant to the dispute today is:

> We are either united people under one head for Federal purposes, or we are 13 independent sovereign entities eternally counteracting each other.

This is the need—and the gentleman knows this photo well. There are more than 70,000 bridges that are structurally deficient in this country, load limited; there are another 70,000 or so that are functionally obsolete or need substantial repair—150,000 bridges. Forty percent of the pavement on the National Highway System doesn't just need an overlay; it needs to be dug up; it needs underlayment and restructuring. And a $70 billion backlog on our transit systems.

We are actually killing people because we aren't investing in our infrastructure, let alone losing the opportunities for millions of jobs and economic competitiveness and more fuel efficiency.

People died right here in Washington, D.C., on the Metro because they're running cars that don't work anymore in the middle of trains, surrounded by cars that are supposed to work and help the ones that don't work.

People died here because this bridge collapsed.

We need to make these investments. With the Made In America requirements in the transportation portions of our government—which are the strongest and we hope to make even stronger in this bill, working with the Republican side of the aisle here—we could put millions to work, not just construction workers who certainly need the jobs, but also small businesses that supply, fabrication firms, manufacturing firms, steel manufacturers, and others across the board would be put to work rebuilding our infrastructure.

What's the problem?

Here's the problem: The second thing that George Washington talked about, saying that we're either united or we're going to be internally counteracting one another. There are, unfortunately, a substantial number of Republicans in their conference who have blocked movement on a bill because they don't believe, unlike George Washington, that the Federal Government has a role to play in coordinating a national transportation system. They want to devolve to the States. They want to go back to the good old days before Dwight David Eisenhower brought us into the modern era with the National Highway System. Here's the good old days. That's the brand-spanking-new Kansas turnpike—oops, it ends in Amos Schweizer's field. That's the Oklahoma State line.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALZ of Minnesota. I yield 1 minute to the gentleman.

Mr. DEFAZIO. That's the Oklahoma State line.

Oklahoma had promised to build their section, but they couldn't because they had a funding dispute. And they didn't—until the Eisenhower bill passed and we had Federal aid to help Oklahoma build their section.

Now, we should go back to those good old days?

But there are some 85-odd members of the Republican Conference who are opposing a well-funded, longer term bill because this is their belief: These were better days for the United States of America.

Well, I'll tell you what. We could do a bill, and we could do a bill that does accommodate some of the concerns on the Republican side of the aisle with a serious conference over the next few days, with a will just to get it done, put America back to work, and rebuild our infrastructure. And you're going to have to have, unfortunately, because of your devolutionists, some Democratic votes to pass it.

Let's go back to the days of Denny Hastert: A majority of the majority need to vote for a bill, but it doesn't have to be passed only with Republican votes. We're not going to ever get a bill done if it's done on a partisan basis.

Mr. DUNCAN of Tennessee. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Florida (Mr. SOUTHERLAND), a very active member of our committee.

Mr. SOUTHERLAND. I'd like to thank the gentleman from Tennessee for yielding time.

As a new Member of this body, it was quite an honor to be appointed a conferee to go to conference. Those who are a part of this body recognize that, that it's usually something that obviously senior Members are appointed to. It was a great honor and it still is, even though we have yet to have a product that we can vote upon.

You can imagine my disappointment when, after attending five working group meetings, I did not have a single individual to look at on the other side of the table representing the other body. You see, when the American people sent us here, I believe they sent us here to change the way we do business. And I'm pleased that we were sent to be involved in those five meetings.

I keep hearing oftentimes in the media, Mr. Speaker, that it is the Republican side that isn't perhaps interested in a bill. But I would say, if that were true, then why did I attend five working group meetings only to have no counterpart on the other side of the table?

We recognize not just words; we recognize actions.

I think the American people are so tired of words. I think that they would be terribly disappointed if they knew that their elected Members did not even attend meetings. And if they did not attend these working group meetings, then how could they be serious and expecting us to believe that they're interested in a bill? I think that we trample on their trust when we don't do the people's work. It's terribly, terribly disappointing.

I want the reforms. I believe they're important. I believe that if we can build a bridge like I–35 through Minnesota, if we can rebuild it in 437 days, I think it makes sense to include streamlining provisions in this bill that say that every project around the country is just as important as I–35, and so, therefore, we need to build all bridges back to their original state without having to go through long, laborious, expensive environmental impact studies if we're rebuilding that bridge back or repaving that road back on the original footprint. I think that makes sense.

I think the American people want us to do their work. They want us to create a bill of value and a bill that is paid for. I think that what we have voted upon and the reforms that we have asked to be considered, not only have they not been answered or even addressed, but we haven't even had the opportunity to even look at one of our counterparts on the other side of the aisle and speak to them at conference. It's terribly disappointing.

With that, I rise in support of this motion to instruct because I believe that we need to have Members come and we need to debate and we need to do the people's business.

Mr. WALZ of Minnesota. I thank the gentleman for his support.

At this time, I'd like to yield 2 minutes to a senior member of the Transportation Committee, the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank my friend from Minnesota for yielding.

I rise in support of the motion to instruct conferees.

Let me start by just making clear that this issue of categorical exclusion is one that's important for us to all

recognize. The 35W bridge, the rebuild was subject to a categorical exclusion, so it was not held up.

Again, I will repeat what my friend from Minnesota said: 96 percent of the projects that go forward with highway bill funding are subject to a categorical exclusion. We really have to ask ourselves if we are going to continue to allow unemployment in the construction industry at 35 percent for 4 percent of the projects that are constructed under the highway bill.

This motion would direct conferees to adopt a final conference report no later than this Friday, June 22. In fact, June 22 represents the 100th day since the Senate passed MAP–21 with an overwhelming bipartisan majority of 74–22. It's fully paid for, and it will save or create an estimated 3 million jobs. In fact, in my State alone, at least 115,000 jobs will be saved or created if we can get either a successful conference report or the passage of MAP–21.

It's been 126 days since the House Rules Committee began considering H.R. 7 for floor consideration, which faltered soon thereafter when my Republican colleagues could not gain consensus within their own caucus and the bill died. It's now been 62 days since the House passed a shell bill to allow conference negotiations to begin.

Finally, and most importantly, we are a mere 6 legislative days away from the expiration of our highway programs when the current 90-day extension expires on June 30.

During this entire time, one fact has been a constant: that the men and women of our construction industry continue to suffer with one of the highest rates of unemployment for any industry. We continue the lack of certainty that a multiyear highway bill would provide. It would provide States the ability to plan and initiate projects, to put people back to work and begin the much-needed improvements to our roadways, bridges, and transit systems desperately needed.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALZ of Minnesota. I yield the gentleman an additional 1 minute.

□ 1820

Mr. BISHOP of New York. I applaud my Senate colleagues who put aside partisan politics to advance a bipartisan bill. To their credit, the Senate put forward that which they could agree on and set aside to a later date that on which they could not agree. It was a sensible and successful strategy.

With Senate Democrats, Senate Republicans, House Democrats and the White House all supporting MAP–21, it is clear that if we can just get the House Republicans on board we can get a bill, and that's what we need to do. We can get a bill, because a temporary extension—yet another—is not a strategy that works. A temporary extension is not the answer. We will soon exhaust the trust fund, States and municipalities will not have the certainty they need to plan, thus construction companies will not be able to hire, and we will lose yet another construction season.

A temporary extension is not the answer. Passing a conference report by June 30, or passing MAP–21, is the answer.

Mr. DUNCAN of Tennessee. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Oklahoma (Mr. LANKFORD), who has been one of our lead negotiators on trying to come up with a transportation bill in our conference.

Mr. LANKFORD. I thank my colleague from Tennessee.

It is interesting for me to be able to hear the indignation and saying we've got to get this bill done. It's important that it gets resolved, and I would have to say I completely agree with my colleagues on the other side of the aisle.

This is a very important bill. Every person who gets in a vehicle, gets in a bus, gets in a truck, or has any piece or item in their home that's delivered by truck, train, whatever it may be, is affected by this. So it's very important.

But just a quick history lesson. When I arrived here in January of last year, we were on extension No. 6 because the previous highway bill expired in 2009. And when Democrats had the House and the Senate, and the Presidency, and they loaded their bill up with earmarks to get it passed, they did not get a bill passed.

So it's interesting to hear the conversation about, well, if Republicans in the House could get this resolved, then we'd get this settled, when, in reality, there are a lot of technical details that better be right that even when Democrats had the House, the Senate, and the Presidency for 2 years could not get this bill done, even with all the earmarks.

This is a different day. We're trying to work together between the House and the Senate. One body doesn't pass a bill and the other body just says, I'll tell you what, you passed it; we'll just go ahead and do that. If so, I would love for the Senate to take up many of the bills that we passed in the House and just have the Senate go ahead and pass those. But this has to be a bicameral agreement.

We're not going to do this with earmarks. That's a big difference. In the past, these bills had thousands upon thousands of earmarks, and we have determined no more, we're not going to do it that way. We have to live within the budget, and we have to be able to help a few things work a lot better than they have in the past.

Major highways right now take about 15 years in construction. We think that's way too long. The first 7 years of that is just in permitting and process and this repetitive process that we have with the Federal Government with this linear permitting. We just want to be able to stack those permits up, allow people to be able to take the first step on it, still have all the same environmental reviews, but do it in a way that's faster and is more streamlined. It saves time. It saves money. It actually builds those roads a lot faster than waiting all of this time.

I can tell you, many people in Oklahoma stare at the engineering work on both sides of the road and hear about new construction that's happening, but they hear about it and hear about it and hear about it and hear about it before the dirt ever gets turned. We want to try to get these road projects started and completed.

We want to allow road money to actually be used for roads. Now, I know that's a crazy idea, but we'd like highway money to be used for highways. We'd like to stay within budget, and we'd like the States to be able to have the flexibility to spend their money, remembering it's their money, not Washington, D.C.'s money.

That 18.4 cents that came out of that State is going back into that State in gas tax. We want the individuals that actually paid that gas tax to be able to help resolve how that's going to best be used.

If they have bridges that are coming down, let's fix bridges.

Mr. WALZ of Minnesota. Mr. Speaker, I yield 2 minutes to my colleague, the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman from Minnesota and the manager, and my friends on the other side of the aisle.

This is an important, crucial motion to instruct. Crucial is the word. And I thank the gentleman for recognizing that while we are here, others are languishing, bridges are languishing, highways are languishing, ports, and even our mass transit concerns are languishing because we have not moved forward. One, two, three, four, five—I think we're up to five extensions the last 5 to 7 years, if my counting is correct.

But most importantly, let me congratulate Members from both sides of the aisle that have come forward to support the gentleman's motion to instruct, which evidences how crucial this motion is and how we need to move beyond the many, many conference calls that I know that those conferees who are in are getting from so many interest groups, and indicate that we need to move forward and bring a report forward that will not stop us from continuing to negotiate on some of the many sidebar issues.

But as we languish, we're losing jobs. As we languish, Americans are unemployed. As we languish, bridges continue to crumble.

I remember our good friend, Chairman Oberstar, who taught us a few years ago that if you pass a transportation and infrastructure bill, you put America back to work. Tragically, as he was speaking some years ago, tragically one of his own bridges in that area had a very devastating impact in the fracturing of that bridge.

We don't want to see that anymore. We want to be able to see people going to work. And so I simply would ask that this motion to instruct be followed. Bring to the floor in a conference report not later than June 22, 2012, the ability to pass this legislation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. WALZ of Minnesota. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE of Texas. Bring to the floor this conference report, put to work people in Texas, fix bridges and put to work people in Minnesota, Virginia, New York, across the Nation, south, north, east and west, and begin to solve separate difficult problems, if I might say, on the side.

I want to see our workers working, many of our friends in the IBEW and building trades and many other supporting unions for the machinists and others, working. I believe this is a bipartisan message. Let's do it now.

Mr. DUNCAN of Tennessee. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Minnesota (Mr. CRAVAACK), a very important member of our conference.

Mr. CRAVAACK. I thank the gentleman for yielding.

Mr. Speaker, I couldn't agree more with my colleague from Minnesota, and I rise in support of his motion to instruct. We will continue to stand ready to negotiate with the Senate.

As a conferee, I have partaken in some of these meetings myself and have negotiated in good faith with Senate staff. Unfortunately, no Senators.

The highway trust fund is bankrupt, and the Federal highway program is in need of serious reform. Congressman WALZ is quite correct in that we cannot continue to kick this can down the road. And I will say the conferee House positions are fair and practical.

Allowing States the flexibility in order to address their specific transportation needs just makes sense. We have a $15.7 trillion debt; 46 percent of our debt is foreign owned, 30 percent owned by one country, China. We do not have the luxury, as the Senate bill requires, to spend money on things like wildflowers and, at the same time, the trust fund is bankrupt.

And as Mr. WALZ and Mr. DEFAZIO point out, bridges are in disrepair and roads are crumbling. We need to get our priorities in order.

The House bill consolidates and eliminates programs, as opposed to creating $3 billion a year and increasing new programs like the Senate bill. This is not extreme; it's fiscally responsible.

The 293 bipartisan House Members voted to approve the Keystone pipeline, a fair and practical approach to helping lower gas prices at the pump and creating tens of thousands of jobs without hurting the environment.

Finally, the House positions of streamlining and significantly reducing the time it takes, without harming the environment, to build a major road project in this country is a practicable position; 15 years to permit, design, and build is not.

The Senate steadfastly refuses to cut any bureaucratic red tape that is associated with building a highway or bridge. We need to stop good-paying construction jobs from being endlessly tied up.

If the Senate is serious, as we are, to get this done early next week, I hope that they engage in good faith in a bicameral fashion.

I thank my colleague from Minnesota again for bringing this up. This is a very important position, I support his motion to instruct, and I urge my colleagues to do so as well.

□ 1830

Mr. WALZ of Minnesota. I thank the gentleman for his support.

At this time, I would like to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, the House Republicans are doing nothing short of sabotaging our economy and jeopardizing millions of jobs by refusing to pass a long-term, well-funded transportation bill like the bipartisan Senate bill. There were 74 Senators, including 22 Republicans, who voted in favor of S. 1813, MAP–21. At one point, Speaker of the House JOHN BOEHNER expressed his support for the bipartisan Senate bill. It is time for us to pass that legislation.

The unemployment rate in the construction industry remains nearly triple the national average. Construction workers, engineers, architects, managers, contractors, and developers tell me that another short-term extension will not bring enough certainty to the industry. In Illinois, my State, the failure to pass a long-term transportation extension at the peak of the construction season has kept many unemployed and put thousands of other jobs at risk. Our States, our localities, our businessowners, and our workers deserve better.

MAP–21 is the single largest jobs bill passed by either body in this 112th Congress. In my home State of Illinois alone, MAP–21 will save or create 70,000 jobs. Nationwide, the bill will save or create nearly 2 million jobs and spur 1 million additional jobs through the leveraging of transit funds.

I am a strong supporter of MAP–21, and we should send it to the President's desk this week. I can't support and our workers can't support another short-term extension that will leave thousands of Illinois jobs hanging in the balance. We need to move forward with legislation that does more than kick the can down the road.

Mr. DUNCAN of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana, Dr. BUCSHON, who has been a lead negotiator on our conference committee for the Republican side.

Mr. BUCSHON. I would like to thank Mr. WALZ for bringing this to the floor. I believe that we all can agree we must pass a long-term highway bill.

In my home State of Indiana, Interstate 69 is being constructed through my district, connecting my district to our State's capital. When I return home every weekend, I see how important Federal dollars are to the construction industry and how necessary infrastructure is to the economic development of our cities and towns.

As a member of the conference committee for the highway bill, I have personally been involved in this process. My House colleagues and I have attended several negotiation sessions and have discussed this legislation at length with the Senate staff. I wish our friends in the Senate were as involved in the process, because we could have resolved many of these issues weeks ago.

I think my friends on the other side of the aisle here in the House seem to forget that we don't just rubberstamp Senate bills and that they don't rubberstamp ours. If that were the case, they'd take up the 30 House-passed job-creating bills that we've sent over to them in the last year.

Nobody is more committed to this legislation than Members of the House on the Republican side. We want to streamline the project delivery process, eliminate duplicative programs, give more power back to the States, and stretch our limited dollars further. These are proposals that every Member of this body should support. We need a long-term reauthorization that will provide certainty to our Nation's job creators.

I support this motion, and I look forward to the completion of this conference.

Mr. WALZ of Minnesota. I thank the gentleman for his support and for his work on this.

At this time, I would like to yield 3 minutes to my friend and colleague from California (Mr. GARAMENDI).

Mr. GARAMENDI. I want to thank the gentleman from Minnesota for yielding time for me to discuss this.

During this approximately 1 hour of debate, it pays to listen to what has actually been said. What has been said by my Republican colleagues is: It's our way or no highway. We're going to have our way or no highway.

What is their way? What is it that the Republicans are demanding? Get past the nice rhetoric, and look at the detail underlying the words: eliminate duplication. What does that mean? Well, it basically means eliminating the environmental laws. Oh, we don't need them. The States can take care of it.

I think not.

They want to focus on highways. Well, we all do; but what does that mean? It means that they want to eliminate the public transportation portion of this legislation. Okay. So no buses, no trains, no light rail funding. Get into the details about what is actually being demanded by our Republican

colleagues, and you begin to say, Well, wait a minute. I think we can understand why there has not been progress here.

We need to really move forward. Some 60,000 construction workers have lost their jobs in the last 5 months. As our Republican colleagues have laid out their demands, which they have essentially said are nonnegotiable—their way or no highway—they're holding this country hostage. They're holding the construction industry hostage so that they can have their way. Understand what their way means: no public transportation programs. Oh, we'll repair bridges and we'll do highways—and that's good—but there's more to it than this: no bike paths, no safety for men and women who are walking along our highways.

That's their way. That's not what America's way needs to be.

We need to pass a bill. Two million people want to go to work. Yes, they agree with Mr. WALZ' proposal, which is to get this thing done. What they're really saying is: Get it done our way or there will be no highway. The Senate has passed a bill, and 74 Democrats and Republicans agreed to it. Let's get it done.

If you can get it your way in the next 3 days, fine. Otherwise, give us the Senate bill, and let's put men and women to work here in this country. We cannot afford any more layoffs in the construction industry. We can no longer afford to wait. A 2-year bill is essential.

Mr. DUNCAN of Tennessee. Mr. Speaker, I have no additional speakers on our side, so I will close by saying just a couple of things.

The last highway bill that passed with only eight dissenting votes, which has been mentioned here a couple of times tonight, was passed when the Republicans were in control of the Congress. I think that shows very clearly that the overwhelming majority of Republicans in the Congress supports highway bills and that we want to do one this year.

One of the main sticking points for us, one of the problems, is that in my almost quarter century in this body we've been talking about giving lip service to environmental streamlining all through those years, but we really never have accomplished anything. You've heard it said several times tonight that the Federal Highway Administration says the average highway project—and these are not transcontinental roads—takes 15 years to build when all of these other developed nations are doing these projects in a third or in half the time that we are. We have got to do more with less during this time of budgetary constraints. We want to do these things because these are jobs that can't be outsourced to foreign countries. They are jobs that will be done here. They're important to this economy.

The Republicans believe that there is an important and legitimate role for the Federal Government in transportation projects. People in California use the airports in Texas and vice versa. People in New York sometimes drink the water in Florida and vice versa. People in Ohio sometimes drive on the highways in Tennessee and vice versa. All people benefit from lower prices when our ports operate efficiently.

All of the things that we deal with on the Transportation and Infrastructure Committee Republicans believe in, and they want to see a good, legitimate—but not dictatorial—Federal role in those projects. We believe that the role of the States is very important, and we believe that the role of the local governments and the local people should be paramount because they know the needs of their States and of their localities better than almost anyone.

We are supportive of the gentleman from Minnesota, and we are supportive of his motion to instruct because our goal is the same as his in that we want to produce a good, conservative, reasonable transportation bill for this Nation, and we want to do it sooner rather than later.

□ 1840

We would like to do it within the next few days. Before we can do that—the other body does not control this process. They have to take into consideration what the House wants as well. That's what we're talking about.

With that, I support the motion to instruct by the gentleman from Minnesota, and I yield back the balance of my time.

Mr. WALZ of Minnesota. Mr. Speaker, again, I would like to thank the gentleman from Tennessee, a leader on this. He has the institutional experience and knowledge and is always gracious. I would have to say you're going to find a lot of agreement from me on this. I certainly think that is the case.

The American public deserves better. I think they deserve a debate like they're seeing tonight. They see a sense of respect that goes back and forth. Frustrations get high in this House, but I keep thinking back to the immeasurable sacrifices that went into self-governances. It would be a lot easier—I had a gentleman one time tell me that there's too many Members of Congress; we should cut the numbers in half. I said, Why think so small? Get rid of all of us and just name a king, and then you don't have to worry about this messy democracy.

That's not what Americans do. We understand that there's 435 good opinions here, differences, strong opinions for the right things about this country, but we disagree on how some of those things should get done. At the end of the day, those differences are a strength if we can get the glue that holds us together as a Nation in a compromise. I will be the first to say that I certainly don't want to see this House capitulate its responsibility, but I also understand that at times there are certain realities of what can move and what cannot. I think deadlines like this motion to instruct puts in makes that deadline solid and it asks what can we give.

Many of the provisions my colleagues were talking about, whether it is Keystone pipeline—I am personally supportive of that. If it's in here, I think that's a good thing. But I understand that a lot of my colleagues don't, and there's no way the Senate does that. The American people have elected us. They've elected a Senate that doesn't agree with that. So at the end of the day, I have to make a choice and all of us do. Is it worth holding up a highway bill over a piece of legislation that I personally like but don't believe that it outpaces the point of getting these roads built?

I think the public wants to see us do that. I certainly am willing to compromise, as my friend from Tennessee has always proven to me, to try and get it right. And I think the public wants us to stand by our principles of trying to get it there. But at the end of the day, something has to be done, something has to move forward. The country depends on a workable infrastructure.

I can't tell you, in watching this happen, of seeing how important moving those products is when the I–35W bridge was in the river, not just in terms of the loss of life, the tragedy that happened there, but the disruptions that happened also, that sprung out and rippled into the economy. I think all of us understand that tragic incident, that we don't want to see it replicated, and we also know that smart investments prevent it from happening.

Mr. Speaker, I am appreciative of the Members who came and spoke passionately tonight. I'm appreciative of the folks who understand that this deliberative body has to come to some type of resolution. I would urge my colleagues to support this motion to instruct, simply asking us to do the work we were sent here to do, get it done on time, and get America working and moving again.

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

Mrs. LOWEY. Mr. Speaker, earlier today, the Appropriations Committee voted to report the Transportation, Housing and Urban Development bill to the full House. This bill makes an insufficient investment in our national transportation system in part because the Committee had to insert placeholder language for several important transportation provisions, notably the Federal highway system and transit programs, due to the lack of an agreement on long-term funding.

The House Republicans' inability to work in a bipartisan manner to reach a compromise on surface transportation reauthorization conference committee negotiations is preventing us from fully investing in our Nation's transportation systems to put people back to work and grow our economy.

For every $1 billion of infrastructure investment, we create at least 30,000 jobs and generate more than $6 billion worth of economic

activity that reverberates throughout our economy, improving our national competitiveness and spurring job creation for years to come.

With the national construction unemployment around 14 percent and upwards of 40 percent in my area in recent years, workers need and want to get back on the job.

Despite being a priority for the Department of Transportation, the Tappan Zee Bridge Replacement project in my district is stalled because the current Federal financing pipeline is too small.

I join Mr. WALZ in urging the conferees to file a conference report so that we can get on with our work to make the vital investments in our national infrastructure system.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALZ of Minnesota. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMPROMISE FOR THE GOOD OF ALL

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

Mr. WALZ of Minnesota. Mr. Speaker, tonight we saw what's possible. When we come together and know that the good of the American public, their will, if it is worked in this House as it has for 236 years, as we began to deliberate and try and move forward on what helps the American public, bringing in our differences, debating, and at times passionately debating what we feel, but at the end of the day understanding the ultimate goal is what strengthens and moves this country forward; and I think tonight, in seeing an agreement on a bipartisan motion to instruct, just asking us to do the public's work, get a transportation bill done, put people back to work, build our highways, bridges, and infrastructure necessary to move people safely back and forth, but also to move goods to compete in the 21st century, it's not that big a lift. We can do it in a safe, efficient, and modern manner, and we can pay for it in a responsible way. The American public are willing to invest in America. They're simply asking us to do it smartly and do it in a way that compromises for the good of all.

I'm incredibly proud, as always, of this deliberative body. We have the ability to move it forward.

OBSTRUCTION AND DELAY

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

Mr. CICILLINE. Mr. Speaker, our most pressing legislative items were nowhere to be seen on the House floor today. We had an opportunity to make headway on critical legislation, but Republicans have not provided action or solutions, only obstruction and delay. Student loan interest rates will double on July 1 if Congress does nothing.

After losing an estimated 28,000 construction jobs last month, Congress still hasn't passed a highway bill. The Republican leadership in the House refuses to bring the bipartisan Senate transportation bill to the floor for a vote, even though it would support 1 million construction jobs right away, including more than 8,000 in the State of Rhode Island.

Our middle class families, our small businesses, and our students and manufacturers deserve greater certainty so they can better plan their lives and companies, grow jobs and strengthen our economy. Yet another day has passed without action to avoid sequestration or address expiring tax provisions or prevent rising costs for higher education. Instead, Republicans plan to waste more time this week with partisan anti-environment messaging bills with little or no hope of passage in the Senate and veto threats that have already been issued by the administration.

We cannot let this become another wasted week. Our constituents deserve more. This Congress has to take action now, not delay until it's too late.

MAKE IT IN AMERICA

The SPEAKER pro tempore (Mr. BUCSHON). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you very much for this opportunity.

We have been engaged for this last hour in a discussion about what to do with one of the most important parts of America's public agenda, which is the transportation systems of this Nation.

We've heard a lot of back-and-forth. We actually heard that there was some agreement that we ought to get on with it. Indeed, we ought to get on with it. We ought to get a transportation bill before the American public, and we ought to get it to the President. Unfortunately, there is a gridlock and a deadlock. Behind all of the gentle rhetoric on the floor this evening, there are some profound differences in how we move forward with the transportation bill. We'll discuss some of those as we journey through this 1 hour or some portion of this 1 hour.

I think I would like to start maybe more than 200 years ago. There is a lot of discussion that we often hear here on the floor and in the rhetoric across the Nation that the Founding Fathers would do it this way or that way, and if we only listened to the Founding Fathers most of our problems would be resolved. Usually, those discussions really speak to not doing something. It turns out that the Founding Fathers really did have a great deal of wisdom.

□ 1850

I came across a book written by Mr. Thom Hartmann called ''Rebooting the American Dream.'' And in it, in his very first chapter, he goes back to the Founding Fathers, and he talks about what George Washington and George Washington's Secretary of Treasury actually did. On the day he was inaugurated, Mr. Washington said that he did not want to wear a suit made in England. He wanted to wear something made in America. Well, Make It in America is one of the principal things that my colleagues and I on the Democratic side have been talking about for some time.

So when I came across this book, I said, Wow, this is interesting. George Washington instructed his Secretary of Treasury, Alexander Hamilton, to develop a manufacturing program for the United States; and Alexander Hamilton did that. He didn't do it in 2,000 or 3,000 pages, as we might do it today. He did it in just a short, maybe 20 or 30 pages. And he developed an 11-point plan for America's manufacturers. It turns out that many of those 11 points are what we have been proposing on the Democratic side here for our Make It in America agenda.

But tonight I want to pick up one of those 11 points. And it happens to be the 11th of the 11 points that Alexander Hamilton presented to George Washington in 1790, and it was on American manufacturers. So point No. 11: ''Facilitating of the transportation of commodities.'' The language is rather ancient English, but it still speaks to the following:

> Improvements favoring this object intimately concern all the domestic interests of a community; but they may without impropriety be mentioned as having an important relation to manufacturers. There is perhaps scarcely anything, which has been better calculated to assist the manufacturers of Great Britain, than the meliorations of the public roads of that kingdom, and the great progress which has been of late made in opening canals. Of the former, the United States stands much in need.

He goes on to talk about the necessity for transportation here and copying what had gone on in Great Britain, that is, the development of public roads.

Then he says:

> The following remarks are sufficiently judicious and pertinent to deserve a literal quotation: Good roads, canals, and navigable rivers, by diminishing the expense of carriage, put the remote parts of a country more nearly upon a level with those in the neighborhood of a town. They are upon that account, the greatest of all improvements.

So here we are in Mr. Hartmann's book, ''Rebooting the American Dream,'' talking about what the

Founding Fathers wanted to do in 1790. I would also point out that by 1792 nearly all of those 11 points had become law and laid the foundation for the great American industrial revolution.

So back to ''infrastructure,'' the word we use today. We use infrastructure when we talk about our highways, our canals, our roads, and our transportation systems. There were, in fact, some public transportation systems at that time.

Now, speaking specifically of roads and jobs, we often talk about jobs here. We need to understand that today, if we were to pass the Senate version of the public transportation bill, we would put 2 million unemployed construction workers back to work this year. This year, 2 million would go back to work if we were to take up the Senate bill. Unfortunately, we have been in a gridlock, and there has been no effort to compromise.

My colleagues on the Republican side are demanding fundamental changes in the transportation systems and the way in which we apportion that money. Those changes have not been acceptable to the Senate; and, indeed, those changes were not acceptable to even their own caucus. The Republican Caucus was unable to reach agreement—they have more than enough votes to pass a bill out of this House—but they could not reach agreement among themselves, let alone with the Senate. And yet they are demanding that the Senate take up what they could not agree to.

On our side, we have simply said, let's go with the Senate bill. After all, 74 Senators—both Democrats and Republicans—voted for it, leaving some 26 that chose not to support it.

So 2 million Americans are waiting for action by the House of Representatives and the Senate; 2 million Americans want to go to work. And yet we have this deadlock. We just found some support amongst ourselves to tell the conferees, Get it done by the end of this week or take up the Senate bill.

Listening carefully to what we heard on the floor not more than an hour ago, compromise is not going to be found. Keystone pipeline. No public transportation funding. Eliminate the environmental protections that have been in place for more than 40 years. Streamline, meaning ''eliminate'' programs. So compromise is not there.

What has happened over the last several months? Well, while our Republican colleagues have been trying to get their own act together, here is what's happened to employment in the construction industry: way back in January, some 5,570,000 Americans were working in the highway construction and public transportation and construction sector. In May, that number had fallen to 5,510,000. Some 60,000 Americans lost their jobs while the Republicans were trying to figure out how they could come to an agreement with themselves on a transportation bill. They couldn't. So 60,000 Americans, 60,000 families lost their ability to earn a living as the majority in this House failed to even agree amongst themselves on what to do.

The Senate moved forward with a bill. It's been there nearly 2 months, before this House, available. A conference committee was formed, and gridlock continues. So now there are 60,000 families without an income as a result of the gridlock and the inability of our colleagues to come to an agreement.

It's time for us to move on. It's time for us to put a 2-year bill in place, as the Senate has proposed, one that would put 2 million Americans back to work immediately. States could move forward. States would know that over the next 2 years, there would be funding from the Federal Government. Right now, the word from my friends on the other side of the aisle is, Well, we're going to go with the 60-day extension. States cannot work with that. They don't know what would be available at the end of the 60 days. They don't know what's available today because we're up against a deadline.

It's time for us to move with the Senate bill. It's time for us to end this continuing decline. This is May. If we were to take the June figures—which are now, unfortunately, coming forward—more and more construction workers have lost their jobs. They are in my district.

Contractors in my district are saying, There is no further contract available to us. We won't be able to put our people to work. We don't have a contract. The States can't offer new contracts. So it won't be just 60,000. At the end of June, it will probably be 70,000 or 75,000, or perhaps more, that have lost their jobs as this gridlock continues here in the House of Representatives. We can do better.

□ 1900

How important is this to the economy? It's very important to the economy and not just the construction workers, not just their families, the 2 million that could go to work if we accepted the Senate bill. And it's a good bill. It provides adequate funding for transportation, for repairing the bridges that we heard so much discussion of, for paving the roads that we heard so much discussion of just less than an hour ago, of providing the money for the public transportation sector so that the buses, the trains, the planes can continue to operate. It's a good bill, but not perfect, not as large as many would want. It doesn't have the Keystone pipeline in it. It doesn't eviscerate the environmental protections that are necessary as we build these projects.

So what would happen if we were to accept the Senate bill? End the gridlock, put 2 million American workers back to work, end the decline. For every dollar we invest in infrastructure—that's the highway bill and the transportation bill—$1.57 is pumped into the American economy. That comes from Mark Zandi, chief economist for Moody Analytics. Spend a dollar on transportation and you increase the GDP; you increase the economic activity of this Nation by $1.57.

So there's more than just transportation at stake here. What is at stake here, as we see, is the continuing decline of the transportation and construction sector as a result of the gridlock that's been with us nearly this entire year. What is at stake is the growth of the American economy. It's the grocery store that will have a customer coming in and not spending an unemployment check but, rather, spending a check that's given to them by the contractor. And that money circulates in the economy so that the hair dresser, the barber, maybe even the gun shop owner will see their business increase 57 percent. For every dollar spent, $1.57 is generated in the economy, putting other people to work beyond the construction industry.

Now, there's more to it than that. One of the provisions that we would like to see in the bill, which actually is in the Senate bill, is a tightening of the waivers that have been so injurious to the American economy, the waivers that have been overused in the last two decades, waivers that push aside the Buy America provisions that we presently have in the law, push those aside and say, We don't care whether that money is spent on American-made equipment. We don't care whether that money is spent on jobs in America. Just pushing aside the Buy America provisions.

The Senate bill has a very important provision that will create even more jobs in America because it tightens up the waiver provisions and says to the Department of Transportation, no, you cannot just willy-nilly provide a waiver. You must adhere to the law that says Buy America: a 60 percent minimum American content in the steel in the bridge that's going to be repaired, in the asphalt and concrete that's going to be laid over the roads. Minimum of 60 percent content on the buses and the trains that are going to be paid for with your tax dollars.

What that means is: Make It in America. That provision that is in the Senate bill will enhance American manufacturing by limiting the waivers that have been so numerous over the last two decades as to hollow out the American manufacturing sector. Manufacturing matters. This is the American middle class. The construction industry and the manufacturing industry is the heart and the soul and the foundation of America's middle class. And so in the Senate bill it tightens up the waiver provisions and says that Americans will have the jobs, not some foreign employee of a company that has gained the contract.

I want to give you a specific example. In California, the largest public works project ever is the reconstruction and

the rebuilding of the San Francisco-Oakland Bay Bridge, a new bridge, billions of dollars. The steel in that bridge was made in China. Six thousand jobs in China, no jobs in America. It's said to be 10 percent cheaper. It turned out that at the outset, the Chinese steel manufacturers could not produce the steel. But they got the contract and what they did was to figure out how to produce the steel. They built a new steel mill. Six thousand jobs. In America, no. In China, yes.

It turned out that the steel was not 10 percent cheaper. It was shoddy. The welds were not adequate. They had to go back. Delays occurred. It turned out to be even more expensive. Had that occurred in America, that new steel mill would have been built in America, and it would be there for the next contract, the next bridge to be built in America, or around the world. But, oh, no, we're going to save 10 percent. We lost American jobs.

If the Senate bill were to come to this floor and become law, the waiver that was allowed and given to the State of California, a waiver that allowed the Chinese steel company to have the contract, would not have been allowed. Six thousand jobs would have been in America, and we would once again make it in America and Americans would make it. But, oh, no, it didn't happen. Manufacturing matters.

I would like to see another provision in the bill, but I won't demand this and my Democratic colleagues who support this are not going to demand it because we want to get on with providing those 2 million jobs for American workers in the construction industry. But let me take a moment to explain what it is.

This is a bill that I introduced at the beginning of last year. It's H.R. 613. And what it says is that our tax money, the money that is being spent by every American when they buy a gallon of gasoline or a gallon of diesel, that that money goes into the highway trust fund. And H.R. 613 says it must be spent on American-made equipment. Highways. This is the steel that's in the bridges. This is the rebar that's in the roads. This is the concrete, the asphalt—American made.

If you want to build a high-speed rail, as we do in California, then that high-speed rail is going to be financed with your tax dollars, and it will be an American-made high-speed rail train. You want a train? You want to improve your transit system? It will be American made. Is it possible? Does this work? Let me give you have an example.

In the American Recovery Act, sometimes known as the stimulus bill, there is a provision for Amtrak trains. Upgrade the Amtrak system. I think it was a little over $12 billion. Some wise staffer wrote next to that $12 billion a sentence that said: This money must be spent on American-made equipment.

One hundred percent American-made equipment. Oh, you can't do that. Well, it turns out that you can do that. A German company, one of the largest industrial companies in the world, looked at it and said, $12 billion? We can build it in America. And they did. They built a manufacturing plant in Sacramento, California; and they are producing 100 percent American-made locomotives because the law said that it must be done.

H.R. 613 says precisely that. If you want the tax money, then it must be American-made equipment. Use our tax dollars to create American-made jobs, not steel made in China, not trains made in Germany, not locomotives from Japan. It's our tax money. It will be spent on American-made equipment.

That's what this does. And we have the proof that it can be done. It's being done today in Sacramento, California, by Siemens, a German company that built a manufacturing plant to take advantage of money that was available if the product was made in America.

□ 1910

Another sad example, the Bay Area Rapid Transit system, BART, needs to replace its 40-year-old trains, $3.2 billion. The minimum in the law today is 60 percent. The bids went out. Two bidders were in the finals. One, a French company, Alsthom; another, a Canadian company, Bombardier. Bombardier's bid was 2–3 percent lower than Alsthom's. However, there was a significant difference. Bombardier said we will build 66 percent American content. Alsthom, the French company, said we can do better. A little bit higher price, but we can do better. We will build 95 percent American content. The difference: $1 billion in American jobs. Sixty-six percent/95 percent; a 2 percent, 3 percent difference in price.

The BART board of directors refused to go back to a second bidding process that would have taken 60 or 90 days. Alsthom said we'll cut our price. We want these jobs in America. It turns out most would be in New York, not California. We want these jobs in America. Go back to another round of bidding, and we'll get out a sharp pencil and we'll come down. The BART board of directors let that opportunity for a billion dollars in jobs go by.

Many of us believe that Alsthom would have matched or even outperformed the Bombardier bid. Or maybe Bombardier would come back and say, okay, we'll go to 95 percent. We don't know. We'll never know. But what we do know is that a billion dollars of American jobs were lost.

So now, as we continue to debate and dally and let time go by, as American jobs, as American workers in the construction industry see the continued decline month by month in the number of men and women that are employed, as layoffs continue—between January and May, more than 60,000 construction workers in the United States have lost their jobs while we continue to fight over issues here.

But the fundamental issue is the issue of jobs. You can talk about the Keystone pipeline, and there are jobs there. And maybe some day that pipeline will be built.

You can talk about the environmental processes that have protected the environment of this Nation for the last 40 years, and maybe there ought to be some adjustments there.

You can talk about giving States the power which basically means there is no money set aside for public transportation. We can talk about those things. But as we wrestle back and forth on what one or another of us think is so critically important, every day another construction worker has lost their job. Another family has lost their opportunity to make the payment on their home. Another community has seen the economy in their area diminish.

We have a reasonably good bill available to us and we could vote on it tomorrow. That's the Senate bill. It protects American jobs. It protects the public transportation system. It is fully funded, not with some hypothetical money that may come in some day, but rather real dollars. It says that our tax dollars must be spent on American-made equipment, on American jobs. It's a good bill.

We had a motion to instruct here on the floor just a few moments ago. And as you listened to the debate, you'd think there was agreement. And there is agreement—we've got to get this job done. We have to put Americans back to work. Two million Americans await our decision. Are we going to continue to fight for some perceived issue that is important to a small group of people? Or are we going to look at the larger picture here, the picture of American workers, of American jobs.

I suppose tomorrow we'll take up that motion to instruct and we'll see if by the end of this week we're willing to compromise. Are we willing to put Americans back to work, 2 million Americans? Or are we going to hold fast to perhaps a funding scheme that has been proposed and can't even be agreed to by the members of the Republican caucus, or an elimination of certain categories of funding like public transportation which couldn't even be agreed to by the Republican caucus, let alone the Democrats.

It's time to look at the bigger picture. It's time to look at that construction worker in our community, the ones we represent and say I want you to go back to work. We'll fight this out another day. But the most fundamental, the most important issue confronting this American economy and each and every individual in America is, where are the jobs? Where is my job? How can I support my family?

It's time to put the bickering aside. It's time to accept the fact that Americans want to go to work, and 2 million Americans are out there looking for their opportunity. And their opportunity rests with us. It rests with the House of Representatives. The Senate has done its work. It's put a 2 year, fully funded transportation bill that

meets the needs of this Nation for the next 2 years. They passed it out. This House has not passed a transportation bill.

We put a stopgap thing out so we can go to conference, but it wasn't a transportation bill. It didn't do the job. Maybe Wednesday, Thursday, or maybe some time Friday there can be an agreement between the two houses. But if there is not an agreement, then as I heard not more than an hour ago from my Republican colleagues, in agreeing to the motion to instruct, that if there is no agreement, then take up the Senate bill. That was in fact the motion. Take up the Senate bill if there is no agreement. Put 2 million Americans back to work. Repair our highways. Repair our bridges. Buy American. Enhance the buy American provisions.

We've got work to do. Americans have work to do. Americans want to work, and it's time for this House to work. And with that, Mr. Speaker, I yield back the balance of my time.

OBAMACARE'S BROKEN PROMISES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Tennessee (Mrs. BLACK) is recognized for 60 minutes as the designee of the majority leader.

Mrs. BLACK. Mr. Speaker, I rise today with many of my freshman colleagues to talk about the impact of a very important bill, the Patient Protection and Affordable Care Act, commonly called ObamaCare, on our economy, our caregivers, and most importantly, the American people seeking care. Any day now the Supreme Court is expected to announce its decision on ObamaCare. And while I hope that the Supreme Court rules on the side of the Constitution and the American people, no matter what happens, the fact remains, this law is bad policy. It's bad for health care, it's bad for the economy, and it's bad for the future of our country.

The rhetoric of the bold promises used to pass ObamaCare into law simply cannot be reconciled with reality. The more the law is implemented, the more the American people don't want it. The President's promises on quality of care, lower insurance premiums, no increase in taxes, and no effect on the deficit, in just 3 years have been broken time and time again.

□ 1920

Broken promise number one: President Obama said in March of 2010:

> If you like your doctor, you're going to be able to keep your doctor. If you like your plan, keep your plan.

The reality is, President Obama's very own administration now estimates that the new regulations contained in ObamaCare will force up to 80 percent of small businesses to give up their current plans by 2013. The Congressional Budget Office also estimates that between 3 million and 5 million people will be dropped from their employer-based coverage by the time the law is fully implemented.

When I visit businesses in my district, I always ask: Have you done the math? Will you keep your insurance or will you pay the fine? Time and time again I get the same answer: We'd like to keep insuring our employees, but it doesn't make good business sense to do so.

Yesterday, in fact, I participated in a field hearing in Murfreesboro, Tennessee, on the effects of government regulation on the economy. We heard from several business owners and State leaders. A gentleman by the name of H. Grady Payne of Conner Industries, which has a plant in Fayetteville, discussed the impact of ObamaCare on his business. He said his company has about 450 employees, and he struggles each year to encourage them to participate in health insurance. The company has had to create different employee groups in order to create an employee base which would have 75 percent participation as required by most insurance companies.

Now, Payne said that the nondiscrimination provisions of the health care reform would prohibit this, forcing the company into several expensive options. It could switch from full insurance to self-insurance; it could expand coverage to all employees and have the employee cost set according to an affordability formula; or it could stop offering health insurance altogether and instead pay a penalty of $2,000 for each employee. Payne said any of the three options would cost the company more than $1 million compared to current costs.

I'll talk about other broken promises, but I would like to yield 5 minutes to my good friend, the gentleman from Indiana (Mr. YOUNG), representing the Ninth District of beautiful Bloomington.

Mr. YOUNG of Indiana. I thank the gentlelady, my hardworking colleague from Tennessee, who is also a health care professional and quite conversant on these issues. You speak with some authority. So thank you very much.

I come from the State of Indiana with internationally renowned medical device manufacturers, manufacturers like Cook Group in Bloomington, or smaller entrepreneurial companies like MedVenture in Jeffersonville. Indiana, in fact, is a global leader in the medical device industry. Scores of successful medical device businesses are headquartered in the Hoosier State, and they provide nearly 20,000 hardworking Hoosiers with good-paying jobs. Now, these jobs, by the way, provide wages that are over 40 percent higher than the State average. These are exactly the sort of businesses we need to expand and grow right here in America if we want to create a healthy economy.

I bring this up because the President's health care law—what most Americans now know as ObamaCare—would shrink the number of American jobs in the medical device industry. This is because the law contains a 2.3 percent industry-specific excise tax that will cripple the sale of these medical devices. It would cripple the entire sector and hurt American jobs.

Now, back in October, a bipartisan group of us from Indiana held a field hearing in Indianapolis to discuss this very issue with industry leaders. The response from businesses was unanimous: this device tax would be, across the board, harmful to these manufacturers throughout the industry. Many admitted that they would have to move jobs to Europe. Now, when is the last time that we heard it was cheaper to move American jobs to Europe?

For the sake of keeping these high-paying, advanced manufacturing jobs here in the United States, this tax must be repealed. In fact, the medical device excise tax is so harmful to the American economy that the House voted just 2 weeks ago to repeal this narrow part of ObamaCare. It's one in a long string of votes that we've cast in this House to repeal or replace a portion of this law.

Now, there's a better way to address increasing health care costs than by imposing additional taxes on the American people. I say, let's start over. If the Supreme Court doesn't do our work for us, let's repeal the Affordable Care Act. Then, let's get to work and pass bipartisan legislation that would actually bring down the cost of health care—what this whole exercise was supposed to be about in the beginning. Our constituents deserve no less. They expect us to engage in this effort. I'm certainly committed to it, and I know my colleagues here on the Republican side in the House are committed to it as well.

Mrs. BLACK. Thank you, Mr. YOUNG. I appreciate his comments about starting over. Certainly, we do feel that that is the direction that we need to go. As a matter of fact, we've had over two dozen votes on repealing and replacing this very onerous bill that has affected our businesses, as has just been said.

Now I'd like to yield 5 minutes to our class president, as a matter of fact, AUSTIN SCOTT, who represents the Sixth Congressional District in Georgia, and he represents Warner Robins.

I yield to my colleague from Georgia.

Mr. AUSTIN SCOTT of Georgia. My father, as you, is a health care professional, an orthopedic surgeon who came out of med school when I was just a child. I spent a lot of time in a physician's office and in a not-for-profit hospital watching my dad take care of patients and helping them. And certainly that doctor-patient relationship is something that has been stripped away in this bill.

But I want to talk about the numbers, not just the relationships right now, because I think it's important to reflect on what happened 833 days ago

when then-Speaker NANCY PELOSI told the American public that Congress must pass the bill so they could find out what was in it.

Now, I have no doubt that the President, in his endorsement of the bill, surely he read it and knew exactly what was in it. And the Speaker of the House of Representatives, it would have been irresponsible for her to endorse a bill without knowing what was in it. They had to understand it would negatively affect our economy.

The gentleman who was just in the well talking about Americans wanting to going to work, he's absolutely right. The Republicans in this House have passed a tremendous number of jobs bills that would help put Americans back to work, help reduce the cost of petroleum in this country; and yet they sit over in the Senate idle, along with a bill that would actually repeal this national health care law that has kept us in a recession.

Now, they forged ahead with this legislation instead of working on the economic issues that so many Americans needed them to work on and, quite honestly, despite the protest of the American public. They simply thumbed their nose at the American citizens. That's why, when it came time to go to the polls, 87 new freshman Republicans came to Washington. Districts where the President had gotten almost 60 percent of the vote, those people, who Americans who understood that their rights had been stripped from them, absolutely rejected the President's health care bill.

Now, 822 days since the Democratic-controlled House passed the President's health care bill. I would remind you it was just a few days before that when, in order to get the votes to pass it, he met with pro-life Democrats and assured them that in no way, shape or form would abortions be funded in the bill. That was his commitment to pro-life Democrats to get them to vote for the bill. Obviously, we now know that that wasn't necessarily true. We all know where the mandate has come out that he has told people that he really doesn't care if it violates their faith or their religious principles, they're going to do what he says, not what their faith tells them to do—certainly a direct violation of people's constitutional rights.

Now, it's 820 days since the President signed it into law. There's been no recovery, and there could have been. There's no ifs, ands, or buts about it: more Americans would be at work today right now if that bill had not been passed. And the sooner it is undone, the sooner Americans will be able to get back to work.

Eighty-nine days since the Supreme Court began hearing oral arguments about the constitutionality of the law, 89 days. Now, Mr. Speaker, the American people began feeling the negative impact of this bill, quite honestly, as soon as it was passed on day one. Unfortunately, they will continue to feel the impact of this legislation until Congress fully repeals and replaces it.

Some more numbers for you. In the past year, the average cost of health care per active worker rose to $11,176. The increase was $800, almost $1,000 a month per worker. The employee share of premium contributions increased by 63 percent, and there was a 62 percent increase for dependent coverage. Yes, all of this, all of this because of the increasing cost and the mandates in the health care bill.

Eighty-one percent of companies said the health care law had increased administrative burdens on their human resources department; and they are not, in many cases, hiring people because of the unknown cost of the legislation. One in six firms said the cost of complying with the law is one of their top challenges in maintaining affordable coverage.

Mr. Speaker, while it's my firm hope that the Supreme Court will find this law unconstitutional—which I believe it is—we must continue the effort to repeal and replace this bill.

□ 1930

We can't wait for the November election, Mr. Speaker. The American people need this bill repealed right now.

Mrs. BLACK. Thank you so much, Representative SCOTT, for coming here today and talking about the negative impact on our economy. Certainly, we know that that is true.

I want to talk about broken promise number 2, and how this is a negative impact on our seniors.

Broken promise number 2 is proponents of ObamaCare claimed that it would protect Medicare. That couldn't be further from the truth. The health care law cuts more than $500 billion from Medicare, and it threatens the choice seniors currently have in deciding which kind of health care best fits their individual needs. And thanks to ObamaCare, Medicare Advantage enrollment will be cut in half by 2017. The only thing this law does for Medicare is ensures bankruptcy in 8 years.

Now, instead of structurally reforming Medicare and building on what is working with Medicare Advantage, ObamaCare further weakens Medicare's fiscal state and punts the difficult health care decisions to unelected bureaucrats. This is clearly not the way to preserve care for our current or future retirees. Real, sustainable reforms must be made for those under 55 in order to keep our promises to current seniors.

This law hurts seniors today, and it stands in the way of protecting this program for our future children and grandchildren.

Now I'd like to yield 5 minutes to a friend of mine from Las Vegas, Nevada, Representative JOE HECK, representing Nevada's Third District, who is a physician and a health care provider.

Mr. HECK. I thank my colleague from Tennessee and my fellow health care practitioner for heading up this most important discussion this evening.

Mr. Speaker, I come to the floor today to talk about something that a majority of Americans actually already know. The health care overhaul that was forced through Congress on a party line vote in the dead of night with special interest provisions like the ''Cornhusker kickback'' and the ''Louisiana purchase'' is a bad piece of legislation that should be repealed. In fact, a recent New York Times poll showed that 68 percent of respondents want to see the law partially or fully repealed.

It's no surprise that the American people are frustrated and want to scrap this law and start over. The law has failed to deliver on all of its major promises. We were told that the law would reduce costs, reduce the deficit, create jobs, and allow people who liked their insurance plan to stay on it. Well, we now know that it has fallen far short of these goals as we continue to read stories and studies outlining just how harmful this law will be for patients and for the economy.

We know that this law will not reduce the deficit. In March, the nonpartisan Congressional Budget Office released a report in which they projected the costs of the health care overhaul out to the year 2022. They found that the bill will cost $1.7 trillion between now and then. That is twice as much as the bill was originally intended to cost. And this, of course, would be added to a national debt of over $15 trillion.

We know this law will hurt access to care for patients, especially our seniors. In addition to gimmick accounting that essentially cuts $500 billion from Medicare and disproportionately affecting Medicare Advantage beneficiaries, the health care overhaul established the Independent Payment Advisory Board. This board of unelected Washington bureaucrats, this Medicare IRS, will be handpicked by the administration to cut funding for Medicare.

Make no mistake about it. The bill is very clear about the aim of this board, and I quote:

> It is the purpose of this section to, in accordance with the following provisions of this section, reduce the per capita rate of growth in Medicare spending.

The board will be unaccountable to the American people. It will be unaccountable to the Congress, and it will even be unaccountable to the President, and will stand between seniors and the services they receive from Medicare.

As a doctor, I fear that when forced to reduce the Medicare costs, the actions of this board will have serious implications for access to care for seniors. That is not what my constituents and the people of Nevada want in a health care system.

We know that this law is going to increase health care costs for patients. As was mentioned, we just voted to repeal the medical device tax contained

in the health care overhaul, one of many such taxes contained therein, that would have imposed a 2.3 percent tax on medical device manufacturers and was projected to increase taxes by $28.5 million over the next 10 years. This tax would result in higher costs for medical device manufacturers and would be passed on to patients in the form of more expensive medical bills. Increased costs for doctor and hospital visits will widen the access to care gap, even as individuals and families are struggling to keep pace with the current skyrocketing health care costs. In my home State of Nevada, this increased tax on device manufacturers would put over 1,000 jobs at risk.

We know that this law will cause people to be dropped from coverage plans that they like. I have heard from concerned small businesses in my own district like Imagine Communications, a marketing firm in Henderson, Nevada, that employs 11 people. When they started out, they paid 100 percent of their employees' insurance premiums because they saw it as a way to attract and retain quality employees. But due to skyrocketing costs, they have been forced to cut back to only providing 50 percent of premiums, and they hope they can continue to do just that. But the way things are going, they aren't sure how much longer they will be able to be sustainable. They are looking at having to drop employees from coverage because of the increased cost of providing insurance.

As we stand here today, we await a landmark ruling from the highest court in the country on whether key components of the law are even constitutional. The individual mandate, the provision that forces every American to buy insurance or pay a fine, a tax, is the wrong approach to take on health care reform. Instead of penalizing nonaction, we should be incentivizing people to take responsible action in making their own personal health care decisions.

I stand with the nearly 70 percent of Americans who want to see this law repealed and replaced with commonsense, patient-centered reforms that truly increase access to primary care and help people avoid costly procedures and trips to the emergency departments.

Instead of injecting more government into our health care system, our focus should be on patients, especially our seniors who rely on access to quality health care.

Our system is working for most Americans. Almost 85 percent have health insurance, and it can work for all Americans through commonsense reforms like moving coverage towards an individual-based model, increasing competition by allowing the purchase of insurance across State lines, incentivizing the purchase of insurance through tax credits, reforming medical malpractice laws, and letting people, not government, decide what services they need and want.

Second chances don't come along very often, Mr. Speaker, but we have before us a great opportunity to get health care reform right.

As a practicing emergency medicine physician, I have worked on the front lines of health care, caring for all, regardless of chief complaint, time of day, or ability to pay. I have seen firsthand what works and what doesn't work in our health care system. That's why I've introduced two pieces of legislation aimed at repealing the onerous provisions that hurt individuals and businesses, repairing the elements of the law that have merit, and replacing the broken pieces of the law with reasonable reforms and strengthening Medicare. I look forward to advancing these pieces of legislation in the wake of the Court's decision.

We have the best health care system in the world, and we should look for ways to include as many Americans as possible in it. But we also have a duty to uphold the Constitution and pass laws that will achieve their stated goal. The Affordable Care Act missed the mark in both respects, and I look forward to joining my colleagues in delivering a health care solution that will benefit the American people.

Again, I thank my colleague from Tennessee for organizing this Special Order.

Mrs. BLACK. Thank you, Dr. HECK.

And Dr. HECK talked, as we all know, about the major costs that are involved in this ObamaCare, and I want to talk about broken promise number 3. It will not add, and I quote, ''one dime to our deficit.'' That was a laughable assertion then, and now, 3 years later, it is clear that it could not be further from the truth. The law will add trillions to our deficit in the years to come.

Former Congressional Budget Office Director Douglas Holtz-Eakin estimates that the law will increase the national debt by at least $500 billion in the first 10 years, and over $1.5 trillion in the second decade, not to mention the $115 billion needed to implement the law. That is more than $2 trillion in new debt that will be passed on to our children and our grandchildren.

Now I would like to yield 5 minutes to my good friend, MIKE KELLY, who represents Pennsylvania Three, and he hails from Erie, Pennsylvania.

Mr. KELLY. I thank my colleague from Tennessee.

I really appreciate the opportunity to talk tonight. And I think what I've found unusual in my 18 months here is that when I look at a lot of the legislation that comes forward, a lot of it is proposed by people who've never actually done what they're mandating people to do.

For most of my life, I was a small business person, still am. And when I get back home and I walk in the district and I talk to the people that are doing the same things that I've done all my life—I'm talking about small business people—they keep talking about the same thing. And the one thing that resonates with me all the time is the uncertainty of what this government does to them, the uncertainty of what this law, in particular, does to them.

□ 1940

When I talk about uncertainty in business, you cannot begin to project what your future costs are going to be on legislation for which the rules and regs still haven't been put in place. So we ask people to take this blind-faith leap—to go ahead, to go along with it.

The truth of the matter is you can't. You can't when it's your own skin in the game. You can't when it's your business that's at risk. You can't hire people when you don't know ultimately what the cost of those people is going to be.

Now, people say, Why is that a big problem? It's because it drives the cost of whatever it is that you do. Your personnel costs have an effect on whether it's the service you provide or the goods that you provide.

So the confusion that goes along with this bill is what puts job creators, small business people, in a quandary. They just don't know what to do because the law doesn't specifically tell them what it's going to cost. Again, because I've done it all my life and it has always been my skin in the game and it has always been my blood on the floor at the end of the day by making a bad decision, if it were about jobs, if it were about creating jobs, then this legislation surely didn't get the job done:

Between January of 2009 and April of 2010, private sector job creation improved by about 67,000 jobs a month. President Obama signed the PPACA into law at the end of March 2010. Since May of 2010, private sector job growth has improved at a rate of only 4,600 jobs per month.

Once people get a look at this law, it puts them on the sidelines. Once again, a law passed by this House and by the Senate and signed by the President puts the people who really do create jobs in a quandary. They look at us and they say, Please do something about this. Please get the government's boot off our throats. I can't continue to plan for the future with a law that doesn't project the total costs.

Look, we can talk about this on and on and on, but the American people know better than anybody else the effect that this has had on them. The job creators know better than anybody else what effect this has had on them. People in business who were never at the table know better than anybody else. Now I've gotten to the point where I understand, if you're not at the table, you're on the menu. I've got to tell you that job creators were put on the menu. They are getting eaten alive by a piece of legislation that drives their costs of operation up and that mandates them to do something under penalty of law or to pay a fine that they don't want to pay.

The funny thing about it is, a guy like me, I wasn't given the opportunity. I wasn't given a waiver. Do you know what, KELLY? It may not work for you, so we're going to give you a waiver. But who did get waivers? There were some people who got waivers out there. But who were the people who got the waivers? Why did they get the waivers? We wonder why the American people don't trust this government and this administration. Why would you trust people who pick and choose winners and losers and who say, You will follow the law. You get a waiver? Really? Why? It's because we can do it.

That's not the America I know. That's not the America that my father fought for. That's just something that's inherently wrong with the way business is being done in this town.

So we can talk about this, and we can talk about all the good things and the bad things and the pieces we ought to keep and the pieces we ought to reject, and we can talk about the fact that we don't know what it's going to ultimately cost us. I'll tell you one thing: if you're starting a business now—and people start businesses all over the world—at one time, we were No. 4, the country that people wanted to start a business in. Now we've fallen way down. We trail now Macedonia, Georgia, Rwanda, Belarus, Saudi Arabia, and Armenia.

It's more attractive to start a business in those countries than in the United States of America. And we wonder why? We wonder why so many millions of Americans are out of work? We wonder why job creators, small business people, won't hire people? We tell them, You're going to follow the letter of the law, or you're going to be fined. Then we wonder why they leave our shores and go to other countries?

If we're still wondering, we're either poorly informed or in denial. We have made it too hard for job creators to stay here. We have made it too hard for businesspeople to make decisions to hire people. We have made it too expensive for them, and we leave them no alternative but to stay on the sidelines. So when the President asks, Why are these people on the sidelines? Why aren't they investing? I will say, Please find the nearest mirror. Look in there. It is this administration and these laws that have put a choke hold on our economy.

Too many Americans have been waiting too long now for answers from a government that just doesn't have the right answers, but that tells them the way it's going to be without ever bringing them to the table in order to ask them, What is the effect on you, Mr. Businessman? How badly does this hurt you? At the end of the day, it's not about how bad it hurts the businesspeople. There is very little consideration given to us.

I thank the gentlelady from Tennessee for taking the time to bring this up in order for us to talk about it. We need to continue to talk about it, and we need to fix something that is very badly broken.

Mrs. BLACK. I thank my friend from Pennsylvania, who is a job creator.

We are talking about how this bill is affecting our job creators and our economy, which leads right into my broken promise number 4.

It was said that it will not raise any of your taxes. The President's health care law broke this promise with 20 different tax hikes, placing a tremendous burden on American families and small businesses—the engines of job growth. Americans are already facing a barrage of Washington-created headwinds from the avalanche of new regulations to the impending fiscal cliff on January 1. On top of that, job creators also must work against the velocity of the massive $5 billion ObamaCare tax increase that will be coming at them over the next decade.

This year, the ObamaCare tax burden comes in at around $15 billion, as you can see here on the chart, which represents about $190 for each family of four, but we see it increase 20-fold by the year 2040 when the tax burden will be $320 billion and when the amount for a family of four will be $3,290.

With the cost of living—with gas and food and all of these other crushing burdens on our people—they just cannot afford another increase in taxes. Every dollar businesses are holding back in anticipation of this tax hike or new regulation is a dollar not spent on hiring Americans who are out of work.

With that, I would like to yield 5 minutes of my time to ROB WOODALL, my good colleague from Lawrenceville, Georgia.

Mr. WOODALL. Thank you very much. I thank my friend from Tennessee for yielding.

I just have to say, for folks who haven't been following your short 15 months here closely, they don't usually put freshmen on the Ways and Means Committee. They just don't. I mean, this is not a meritocracy. This is an organization that's often run by tenures, a little like a labor union shop. You put in your time. You play by the rules. You eventually get promoted. Yet, when this freshman class came in and when you looked at the kind of challenges that were facing the Nation, they looked at folks like you, Mrs. BLACK, who have invested a career in health care—not in talking about health care, but in implementing health care—they said, Where can we make folks the most valuable?

I hear that time and time again back home. Folks say, ROB, why is it all the bureaucrats are making all the decisions in Washington, D.C.?

What I get to say to them is, You know, that might have been the way it was, but today we have folks like Dr. BUCSHON, like Dr. HECK, and we have folks like DIANE BLACK, who are in the places where they can bring their real-life experiences to bear.

I listened to my colleague, MIKE KELLY, talk about how folks just discount job creators as they're passing legislation like this. You wonder why it is we're in the worst recession in my lifetime. We have folks who you could consult. We have folks that you could speak with. We have folks whose advice you could seek and employ. Yet Washington knows best.

I actually saw your tax chart from my office, so I came down here. I thought that was going to be something about improving outcomes. I thought that was going to be something about how more folks have health insurance today than yesterday. What I see is that it is a chart of tax burdens—tax burdens. We knew that was going to come. We knew that was going to come because the promise was within that that we were going to provide more care to folks, that we were going to do more things for folks; and, more importantly, health care premiums for the average American family were going to come down by $2,500 per family. That was the promise the President gave us.

I see you've brought out another chart. I would ask my colleague, what are we seeing here?

Mrs. BLACK. Yes, that's exactly what you're seeing here. It is the rhetoric versus the reality on premium costs.

We can see that the promise was that we'll bring down the premiums by $2,500 for the typical family. We see here is the line of the rhetoric and here is the reality, and we can see that it did not bring it down. As a matter of fact, they're going to continue to go up. It's estimated, by the time we reach 2015, the premiums will actually have increased by almost $2,400. A broken promise.

□ 1950

My concern is when folks see that chart back home, they are not aghast. Because candidly, that's what they expected. They expected good rhetoric out of Washington, D.C., and they expected abysmal results. Candidly, I don't know why they wouldn't. It doesn't matter whether it's a Republican administration or a Democratic administration, Washington, D.C., is famous in its one-size-fits-all solutions for overpromising and underdelivering.

But you always have hope. You always have hope that this time it's going to be different. Say what you want to about hope and change. I remember when the President was rolling out this provision. I thought, Golly, if we would just pass this bill 10 pages at a time, there probably would be some meritorious parts of it, there would probably be some provisions that the American people would want. I might not want them, and leave me alone in the world that I live in, but other folks would want them, it would pass by 218 votes, If we would only look at it one small part at a time.

But there were some ugly things in the bill, ugly things that I hope the Supreme Court solves and releases to us

next week and shares with us. There were things that folks wanted to hide in all of these other provisions in the health care bill. One of the things that I pride myself on in this Congress, what we've seen out of the Ways and Means Committee, is we haven't seen any 2,000-page bills in the 15 months that you and I have been in Congress. We haven't seen any 1,500-page bills when my freshman colleague from Alabama has been here in Congress. We've seen limited bills with limited ideas that the American people can digest and understand.

I know that we can deliver that, with the help of colleagues like the gentlelady from Tennessee, with the Doctors Caucus here in this House, the largest Doctors Caucus that we have ever had in this House. I know that we can implement solutions that make sense 10 pages at a time in consultation with the American people, not an end-run around the American people.

I just keep staring at this chart behind you—promises that insurance costs would go down, and the reality that a command-and-control government structure has driven those costs up.

I was a staffer here before I ran for Congress, and I was here when this bill was being passed. I remember the phone calls coming in, when folks started to say, What's the rush? I'm a Democrat. I'm an independent. I'm someone who wants the government involved in health care, but what's the rush? I'm concerned that there is something hidden in there that you folks in Congress want to push it all through before we've had a chance to see what's in it.

Chart after chart that you brought down here tonight brings back those memories, that that's exactly right. There were things hidden in there. Folks did not know what was in it. But we now have a chance to do it better. With your leadership on the Ways and Means Committee, I'm certain that we will.

I thank the gentlelady for the time.

Mrs. BLACKBURN. I thank my colleague from Georgia for all those kind comments.

Once again, looking at this chart, we see the broken promises over and over and over again. And not only the cost to our job creators, which certainly is affecting our economy, but also those to the typical families who are already struggling to get health care. Now we have increased that cost to them by almost $2,400 in just a few short years.

Now it is my honor to yield to a gentlelady from Alabama, MARTHA ROBY, who represents Montgomery.

Mrs. ROBY. I thank the gentlelady from Tennessee for your leadership tonight on this most important and timely subject. And to the gentleman from Georgia, I appreciate all of your remarks because I do believe that we have shown through our campaign promises that we were going to put forth legislation that's not just commonsensical, but that all Americans have the ability to digest and understand in a way that gives them the ability to provide feedback to us as Members of Congress as to what makes sense and what they are for and what they're not for.

The 3-day rule that we implemented certainly has provided us with an opportunity to give our constituents time to learn. So we're not finding ourselves in the same situation as they were in the previous Congress with this massive health care law. I'm proud to say that one of our first votes in Congress was to repeal this law in its entirety.

Most of us can agree that this law has very little to do with commonsense health care reform, but that it translates into substantial costs, well over $500 billion that has to be paid by hard-working, tax-paying Americans.

I would think that if this room was filled with colleagues from this side of the aisle and the other, that what we could all nod and agree upon is that we need health care in this country, that it's more accessible and more affordable. We just have different ways of getting there. And over the course of this Congress, all of my colleagues here, we've cast over 27 votes to repeal or defund this current law.

Soon—and maybe sooner than later—the Supreme Court is going to hand down this landmark decision regarding the constitutionality of this very law that we're discussing here tonight. Of course, just like all of your districts, it will affect my home district in Alabama. And regardless of the Supreme Court's decision, I believe that many of the problems that we have with health care in this country will continue to be present, and they have a significant impact on small business in this country. Despite rhetoric, we have a responsibility in this majority to maintain our focus on jobs and the economy because that is what Americans are concerned about.

Today, I asked in anticipation of being here with you tonight, my constituents from the Second District of Alabama, to share with me on Facebook their concerns surrounding ObamaCare. So I just want to quote a few of my constituents:

> ObamaCare violates the Constitution and the rights of the American people.
>
> ObamaCare is not the answer.
>
> A board of laymen should not decide what treatment I can get. That is between me and my doctor, not some committee with no medical experience.

One of their largest fears is IPAB, the Independent Payment Advisory Board, labeled by critics the ''death panel.''

Under current law, this 15-member board will be empowered to find cost savings in Medicare by rationing health care services to senior citizens. You know what? Like the President's czars, this board will be handpicked by the President and will not be accountable to the American people or any person that they elected to the Congress to represent them.

One Montgomery, Alabama, physician, who provides care to Medicare recipients claims that the cuts in payments to doctors will be devastating to his ability just to stay in business. We've heard testimony about how difficult it will be to then recruit family practitioners and internal medicine doctors into the community. IPAB's recommendations to reduce health care costs will unfairly and disproportionately fall on physicians just like him, since the law prohibits any reductions in payments to hospitals and hospices until 2020.

So many doctors in Alabama are already faced with the painful decision of staying in business or not seeing Medicare patients, all because of ObamaCare. Not because of the decisions that this Republican majority in this House have made. Not only will IPAB have a devastating effect on businesses, it will have a disastrous effect and negative consequences on a patient's access to care.

Another concern of my constituents is the employer mandated health insurance provision. The Obama administration is encouraging employers to retain and expand health care coverage to their employees by 2014. My question is this: How can a business owner retain insurance coverage if it forces him into bankruptcy? This is what all of us here, when we travel throughout our districts during district work week, this is the number one concern of uncertainty provided by this law.

I recently heard from another constituent who owns independent grocery stores throughout Alabama who employs over 500 workers. This means 500 families are making a living from this business. And when he's required by law to provide all of his employees with health insurance, his grocery stores will go bankrupt, causing significant layoffs to his employees. When a kumquat producer from a southern State is threatened to go out of business, this is evidence that we have left no stone unturned when it comes to the loss of jobs.

On a national perspective, the employer mandated health insurance provision could cause the elimination of 1.6 million jobs, with 66 percent of those coming from small businesses alone. Who wins in this situation? No one. Every thriving business that is able to sustain the heavy financial burden of this law is not hiring and growing their workforce due to the uncertainty.

□ 2000

As we continue during this 112th Congress, we must remain committed to reforming health care without the threat of new taxes and regulations that burden small businesses and the American people. Congress must be aggressive but responsible and make these reforms as we stay focused on making America strong and prosperous for future generations.

I look forward to working with all of you here tonight. And to the gentlelady from Tennessee, thank you for your leadership. It could not have come at a more important time. We need to continue this discussion.

Again, I cannot emphasize enough that the uncertainty surrounding this law is stifling job creation. And as we are accused day after day of not presenting jobs bills, this is it. This is the number one jobs bill. When we repeal this law, we will lift the heavy hand of government. And we believe—and I know—that the private sector will, with that certainty, once again begin hiring those people who desperately need these jobs all over this country.

Mrs. BLACK. I thank the gentlelady from Alabama for coming to the floor and giving us some very real situations and quotes from people right back in your district. I was writing down here that you had folks who were providers of health care, people who were job creators. I'm talking about the patients, talking about whether this is really what our government was set up to do, and bringing these very real situations here so that we can let the American people know how this bill is affecting every segment of our society. I thank you so much for coming, especially with those remarks of the people from your district because these are the people who are living this and are every day having to deal with what is being placed as a burden upon them. So thank you so much for sharing that. That's the purpose of this Special Order tonight.

I would now like to yield 5 minutes to my good friend and colleague from Cincinnati, Ohio, STEVE CHABOT.

Mr. CHABOT. I thank the gentlelady from Tennessee for yielding. I also want to thank her for organizing this Special Order this evening on such an important issue.

None of us knows for sure what the United States Supreme Court is going to do in the next few days, the next week, maybe 10 days. None of us even knows for sure when it's going to happen, but I think we all anticipate that it will be soon. I think none of us would disagree with the fact that whatever they do, it's going to have significant and real implications to an awful lot of people all across this country.

I think it's important to remember how we got into this position—this mess, quite frankly—that we're in right now relative to health care and what happened. The Democrats were in complete control. President Obama had been elected, and they controlled the House and the Senate. And rather than act in a bipartisan manner on something as important as this, which is what they should have done—they should have gotten input from both sides and done what was in the best interest of the people when you are dealing with something as important as health care—they basically rammed through a bill. Unfortunately, few had even read the bill, as we heard over and over again. And in fact, Speaker PELOSI, who was Speaker at the time, even made a statement that it was important that they pass the bill so they could find out what was in it. What an incredible statement to make.

And unfortunately, deals were made to get people to vote for this legislation. The ones that came out that seemed to be the most egregious were maybe on the other side of the Capitol building, in the other body, some of the things that we heard about there. But this is really not the way that legislation is supposed to happen, especially something as important to people's lives as their health care is.

And I think they thought that—in fact, statements were made that—the people would like it; they'd fall in love with it once it was passed. Well, that clearly hasn't happened. There was a poll out, a New York Times and CBS News poll that just came out recently that indicates that two-thirds of the American people hope—they'd like to see the Supreme Court either strike down this health care legislation, or ObamaCare or whatever terminology one prefers to use, but they'd like to see it struck down either altogether or at least in part.

Unfortunately, when they focused so much attention on this health care bill, or ObamaCare, they should have been focused on an even bigger issue, and that is how the economy is so weak and so many people are unemployed. They were back at that time, and they still are now. Instead of devoting attention where it should have been, on the economy and on getting Americans back to work, they passed this so-called economic stimulus package, spent over $800 billion. And it did grow one thing, and that's government. But unfortunately, it did not grow jobs in the private sector.

After passing that monstrosity, they moved to health care and then passed this piece of legislation. It took them basically a year to get it passed. And what has happened is it didn't, as you indicated—and I think you did an excellent job in pointing out what was said and what actually happened. They said it's not going to raise taxes. Well, it's raised 20 different taxes. They said it was going to drive down health care costs. It's increasing health care costs. They said it was going to create jobs. It's reduced jobs. In fact, it's been a wet blanket over the whole economy.

I've talked to a lot of small business people in my district back in Cincinnati and in the greater Cincinnati area, and I have heard over and over again that small businesses are afraid to hire people. They're afraid of the new regulations, the new taxes. So people aren't getting hired and the jobs aren't being created. And this isn't the only reason, but this is one of the biggest reasons that you hear our small business folks say why they are not hiring folks.

In the small business community, about 70 percent of the jobs created in our economy over the last few decades have been in the small business sector, and those are the folks that are going to be particularly hard-hit by this ObamaCare if the Supreme Court upholds it.

Now, of course, as our colleague from Alabama mentioned previously, in the House, we passed legislation earlier in this Congress to repeal this bill. But the other body wouldn't take it up. And even if they had, I think most of us speculate that the President would have vetoed it, and we wouldn't have had two-thirds to override the repeal. So we hope the Supreme Court acts. But even if they don't, we hope that this body and the body on the other side of the building will act to repeal it.

Now, relative to one particular thing, the employer mandate, it's been estimated that that has resulted in the loss—or will result in the loss of 1.6 million jobs if that ultimately is imposed on businesses, that they have to move to this ObamaCare. And I think we all know that a lot of businesses are just going to drop coverage altogether. People that have insurance now will not have insurance if or when this goes through.

We also know there is going to be more red tape. There are going to be more regulations. There are going to be higher taxes. And it's been estimated the higher taxes alone are going to be over $500 billion—$569 billion, to be exact.

And what is all of this for? It's a law that puts government ahead of people. It's a law that consolidates power into the hands of 15 unelected, unaccountable bureaucrats that are going to decide how much of our seniors' Medicare is going to be cut. And that estimate is about $500 billion of cuts also in Medicare. So it's just an awful piece of legislation which we certainly hope the Supreme Court strikes down in the very near future.

There were alternatives to ObamaCare, things that Republicans have been pushing for a long time. For example, allowing insurance companies to sell insurance across State lines. That means more competition. That drives the cost down so people have more access to health care coverage. Also, association health plans. That means that small businesses can join together in order to negotiate with the insurance companies. They have more power to get lower rates for their workers and their employees. Medical malpractice reform. We have far too many doctors ordering tests, very expensive tests just to prevent themselves from getting sued. At least half of these lawsuits are probably frivolous. We need medical malpractice reform. And then, finally, health savings accounts, which more and more people are finding more and more attractive, saving them money and giving them more control over their health care dollars.

Those are a few of the commonsense reforms that have been proposed over

the years but, unfortunately, have been blocked. And they put all of their money and all of their eggs in the basket of this ObamaCare, and I really think the thing is likely to be struck down in the very near future.

□ 2010

The decisions ought to be made by the people back home around their kitchen tables—people—mothers and husbands and fathers talking about what is the most important thing to their family with health care. That's where the decisions ought to be made, not in backroom deals up here on Capitol Hill.

So yes, we need health care reform. We didn't need this big government cop out, really; this monstrosity, this takeover. I know that some of my colleagues on the other side of the aisle cringe when we say takeover of health care, but that, in essence, is what it is—not a complete takeover, but a heck of a big takeover by Big Government. And that's the last thing we need.

So this is bad public policy. It's bad for the American people. It needs to go.

I just want to thank you again for organizing this Special Order this evening and look forward to doing future ones talking with the American people.

Mrs. BLACK. Thank you. I thank you for coming here tonight to talk about this program and how it has put a wet blanket on our economy. Not only that, you did talk about some real solutions that really could help to deliver health care and make it more accessible, increase the quality of the care, and at the same time lower the cost. So I sure do appreciate that.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. FARENTHOLD). The gentlewoman from Tennessee has just under 7 minutes remaining.

Mrs. BLACK. I'm going to go quickly to my last points here.

In the coming weeks, the Supreme Court is expected to release their decision regarding the constitutionality of ObamaCare. And I stand firmly with those 26 States and the National Federation of Independent Businesses who have laid out convincing evidence that this bill seriously violates our Constitution and our founding principles. For the last 3 years, no one has known how or when the court would rule on ObamaCare so the House has worked tirelessly to repeal and defund the law. Because every day this law stands is a day that jobs are being lost, Americans' health care insurance premiums are going up, job creators and consumers are bearing the brunt of ObamaCare's tax hikes. And in just 3 short years, ObamaCare has already resulted in fewer jobs, higher health care costs, and more debt.

My first act here in Congress was repealing this law in its entirety. Subsequently, I have voted more than two dozen times to either defund or repeal ObamaCare since being elected to Congress. Unfortunately, these amendments and others like them have been blocked by the Democrat-controlled Senate. But due to the steady stream of broken promises, the growing and unrelenting public outcry, and Republican lawmakers' unwavering determination, we have been successful in getting several of the most egregious portions of ObamaCare repealed or defunded and signed into law. In fact, one of those successes was my legislation that closed the loophole in the health care law and saved taxpayers $13 billion. My bill was signed into the law by the President last November.

Six other ObamaCare provisions have been repealed or have had funding rescinded and signed into law. One of those that many of us will remember is the onerous 1099 tax provision that would have drastically affected especially our small businesses.

Now Republicans are not going to stop here. We will continue to pursue opportunities to get these and other defunding and repeal bills to President Obama's desk. Before coming to Congress, I worked in health care as a registered nurse for more than 40 years, and I have seen firsthand the problems and the obstacles that patients and the health care providers face. But ObamaCare is only serving to exacerbate the current problems and creates entirely new problems. Repealing ObamaCare is a very important first step that must be accomplished, but that simply is not enough.

For the past two sessions of Congress, the House Budget Committee has produced full repeals of ObamaCare and has also set in place a constructive framework to replace the government takeover of health care. House Republicans have built on principles that empower patients with policies that have proven records of success.

Now the House Republican budget passed last year heeds the warnings of economists around the world. The simple truth is that ObamaCare is one of the single most destructive things to happen to our economy. We cannot try to micromanage 17 percent of our economy through a maze of mandates, taxes, and price control. Our project uses models that foster competition, innovation, and choice as driving principles behind improving our health care system.

A critical part of implementing real, patient-centered reform is Medicare reform. The premium support structure would be a constructive approach to defending and saving Medicare for current and future retirees. Premium support would reflect the structure of the overwhelming successful Medicare part D program. Now Medicare's prescription drug program is succeeding beyond all expectations. It's delivering needed prescription drugs to the Medicare beneficiaries at a lower cost than expected due to the strong competition—yes, competition—among health care plans that work to keep costs down and negotiate with pharmaceutical companies for savings.

This market-based program is seen by policymakers as a model for how to restructure health care entitlement programs. The CBO estimates show that part D is costing far less than the initial projections. Total costs for part D are now estimated to be 43 percent lower than the initial projections for the initial 2004–2013 forecast period, according to CBO Medicare part D baselines for 2004–2013.

In March of 2012, the CBO reduced its Medicare part D spending projection from 2013–2022 by $107 billion. This was due to ''an increase in the number of high-volume drugs with generic substitutes available and changes in drug utilization.'' At the same time, CBO increased its projected spending for the rest of Medicare.

Now let's take a look at the average beneficiary part D premiums in 2012 that are far below the original projections. As a matter of fact, you can see here on the chart that the average monthly beneficiary premium for part D coverage is about $30 in 2012, virtually unchanged from 2011 and far below the $56 forecast that was originally projected. According to the CMS administrator, Don Berwick, these consistently low premiums, ''are going to make medications more affordable to the Medicare beneficiaries,'' and CMS officials reported in 2011 over 99 percent of part D enrollees had access to the plan with a premium that is the same or lower than their 2010 premium. And you can see that very clearly here on this chart of what the projections were and what the actual amount is coming in. The same amount of the premium in 2011 and 2012. Just remarkable.

Now research shows that increased access to medication achieved through part D is actually lowering beneficiaries' health care costs. A new study in JAMA found that the implementation of the Medicare prescription drug program was followed by a $1,200 per year decrease in nondrug medical spending among those who previously had limited drug coverage, which has been reported to generate over $12 billion per year in savings to part D from less use of hospital and skilled nursing facilities.

As a matter of fact, what this has shown is that because patients are receiving their medication and can afford them, they are not going to the hospital as much, therefore saving costs. Beneficiaries are also highly satisfied with part D. Recently released surveys showed that Medicare part D enrollees are overwhelmingly satisfied with part D coverage. Eighty-eight percent of the part D enrollees are satisfied with their coverage, and 95 percent say this coverage works well. Additionally, vulnerable beneficiaries who are dually eligible for both Medicaid and Medicare exhibit the highest satisfaction.

Now should the high court fail to overturn the law, or sever parts of this

disastrous piece of legislation, the House Republicans will continue to fight to defund and repeal ObamaCare. While the country continues to suffer from failed policies and broken promises of the Obama administration, my Republican colleagues and I will not only continue to undo the damage, but we will also rebuild a health care system that puts patients and their doctors in the driver's seat rather than the unelected bureaucrats here in Washington, D.C.

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

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

January 31, 2012:

H.R. 3800. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

February 1, 2012:

H.R. 3237. An Act to amend the SOAR Act by clarifying the scope of coverage of the Act.

February 10, 2012:

H.R. 3801. An Act to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

February 14, 2012:

H.R. 588. An Act to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

H.R. 658. An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

February 22, 2012:

H.R. 3630. An Act to provide incentives for the creation of jobs, and for other purposes.

February 27, 2012:

H.R. 1162. An Act to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

March 8, 2012:

H.R. 347. An Act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

March 13, 2012:

H.R. 4105. An Act to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

March 30, 2012:

H.R. 4281. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

April 2, 2012:

H.R. 473. An Act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

H.R. 886. An Act to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

April 5, 2012:

H.R. 3606. An Act to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

May 15, 2012:

H.R. 298. An Act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''.

H.R. 1423. An Act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office''.

H.R. 2079. An Act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''.

H.R. 2213. An Act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Inks, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

H.R. 2244. An Act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

H.R. 2660. An Act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''.

H.R. 2668. An Act to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

H.R. 2767. An Act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trent Post Office Building''.

H.R. 3004. An Act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building''.

H.R. 3246. An Act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 3247. An Act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''.

H.R. 3248. An Act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

May 25, 2012:

H.R. 4045. An Act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on, or after that date, from the changes to the program guidance that took effect on that date.

H.R. 4967. An Act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

May 30, 2012:

H.R. 2072. An Act to reauthorize the Export-Import Bank of the United States, and for other purposes.

May 31, 2012:

H.R. 5740. An Act to extend the National Flood Insurance Program, and for other purposes.

June 5, 2012:

H.R. 2415. An Act to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building''.

H.R. 3220. An Act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office''.

H.R. 3413. An Act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office''.

H.R. 4119. An Act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

H.R. 4849. An Act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

June 8. 2012:

H.R. 2947. An Act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

H.R. 3992. An Act to allow otherwise eligible Israeli nationals to receive E–2 nonimmigrant visas if similarly situated United States nationals are eligible for similar nonimmigrant status in Israel.

H.R. 4097. An Act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

March 14, 2012:

S. 1134. An Act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

S. 1710. An Act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

April 4, 2012:

S. 2038. An Act to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

May 15, 2012:

S. 1302. An Act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

June 13, 2012:

S. 3261. An Act to allow the Chief of the Forest Service to award certain contracts for large air tankers.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MILLER of Florida (at the request of Mr. CANTOR) for June 18 and the balance of the week on account of a death in the family.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 20, 2012, at 10 a.m. for morning-hour debate.

OATH OF OFFICE OF MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 112th Congress, pursuant to the provisions of 2 U.S.C. 25:

RON BARBER, Arizona Eighth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6476. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule — Guidelines for the Transfer of Excess Computers or Other Technical Equipment Pursuant to Section 14220 of the 2008 Farm Bill (RIN: 0599-AA13) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6477. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Naphthaleneacetic acid; Pesticide Tolerances [EPA-HQ-OPP-2004-0144; FRL-9346-9] (RIN: 2070-ZA16) received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6478. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — a-(p-Nonylphenol)-w-hydroxypoly(oxyethylene) Sulfate and Phosphate Esters; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0526; FRL-9340-2] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6479. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — a-[p-(1,1,3,3-Tetramethylbutyl)phenyl]-w-hydroxypoly(oxyethylene) Exemption from the Requirement of a Tolernace [EPA-HQ-OPP-2011-0525; FRL-9340-1] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6480. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ametoctradin; Pesticide Tolerances [EPA-HQ-OPP-2010-0261; FRL-9339-7] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6481. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's 2012 Report to Congress on Sustainable Ranges; to the Committee on Armed Services.

6482. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the twenty-second annual report on the Profitability of Credit Card Operations of Depository Institutions; to the Committee on Financial Services.

6483. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6484. A letter from the Senior Counsel for Regulatory Affairs, Financial Stability Oversight Council, transmitting the Council's final rule — Implementation of the Freedom of Information Act (RIN: 4030-AA02) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6485. A letter from the Senior Counsel for Regulatory Affairs, Financial Stability Oversight Council, transmitting the Council's final rule — Authority To Require Supervision and Regulation of Certain Nonbank Financial Companies (RIN: 4030-AA00) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6486. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Loan Guarantees for Projects That Employ Innovative Technologies (RIN: 1901-AB32) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6487. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Rules [EPA-R03-OAR-2011-0925; FRL-9669-3] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; California; Western Mojave Desert Ozone Nonattainment Area; Reclassification to Severe [EPA-R09-OAR-2012-0249; FRL-9669-7] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6489. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final Rule to Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard: Classification of Areas That Were Initially Classified Under Subpart 1; Revision of the Anti-Backsliding Provisions to Address 1-Hour Contingency Measure Requirements; Deletion of Obsolete 1-Hour Ozone Standard Provision [EPA-HQ-OAR-2007-0956; FRL-9668-4] (RIN: 2060-AO96) received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 54 [EPA-HQ-SFUND-2011-0644, 0645 and 0654; FRL-9668-1] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan; Correction [EPA-R04-OAR-2009-0783; FRL-9669-2] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6492. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ohio; Determination of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Steubenville-Weirton Area [EPA-R03-OAR-2011-0556; FRL-9669-5] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6493. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards [EPA-HQ-OAR-2008-0476; FRL-9668-2] (RIN: 2060-AP37) received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6494. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-432, Revision 1, ''Change in Technical Specifications End States (WCAP-16294)'' Using the Consolidated Line Item Improvement Process [Project No.: 753; NRC-2012-0019] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6495. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Low-Level Radioactive Waste Management and Volume Reduction [NRC-2011-0183] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6496. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-21, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6497. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

6498. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

6499. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification; to the Committee on Foreign Affairs.

6500. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report pursuant to section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

6501. A letter from the Chair, Federal Election Commission, transmitting five legislative recommendations from the Commission; to the Committee on House Administration.

6502. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Virginia Regulatory Program [VA-126-FOR; OSM-2008-0012] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6503. A letter from the Assistant Attorney General, Department of Justice, transmitting information on Defense of Marriage Act litigation; to the Committee on the Judiciary.

6504. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Choptank River and Cambridge Channel, Cambridge, MD [Docket No.: USCG-2011-1164] (RIN: 1625-AA87) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6505. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Anacostia River, Washington, DC [Docket No.: USCG-2011-0591] (RIN: 1625-AA09) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Safety and Security Zones; Recurring Events in Captain of the Port Long Island Sound Zone [Docket No.: USCG-2008-0384] (RIN: 1625-AA00; 1625-AA08; 1625-AA87) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Seagoing Barges [Docket No.: USCG-2011-0363] (RIN: 1625-AB71) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6508. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures, and Damage Tolerance and Fatigue Evaluation for Metallic Structures; Correction [Docket No.: FAA-2009-0660; Amdt. Nos. 27-47A, 29-54A; and Docket No. FAA-2009-0413; Amdt. No. 29-55A] (RIN: 2120-AJ52, 2120-AJ51) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6509. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Transportation and Warehousing (RIN: 3245-AG08) received May 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6510. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Disaster Assistance Loan Program; Maximum Term for Disaster Loans to Small Businesses With Credit Available Elsewhere (RIN: 3245-AG42) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6511. A letter from the Secretary, Department of Health and Human Services, transmitting the ninth annual report on the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

6512. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the second session of the 112th Congress; jointly to the Committees on Armed Services and Foreign Affairs.

6513. A letter from the Secretary, Department of Energy, transmitting the Department's report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility being constructed at the Department's Savannah River Site near Aiken, South Carolina, pursuant to 50 U.S.C. 4306(a)(3); jointly to the Committees on Armed Services and Energy and Commerce.

6514. A letter from the Assistant Attorney General, Department of Justice, transmitting second quarterly report of FY 2012 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

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. BISHOP of Utah: Committee on Rules. House Resolution 691. Resolution providing for consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown on petroleum reserves from the Strategic Petroleum Reserve (Rept. 112–540). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KUCINICH (for himself, Ms. SLAUGHTER, Ms. WOOLSEY, Ms. CHU, Mr. YARMUTH, Mr. HONDA, Mr. MORAN, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. CONYERS, Mr. HINCHEY, Mr. ELLISON, and Ms. EDWARDS):

H.R. 5959. A bill to place a moratorium on permitting for mountaintop removal coal mining until health studies are conducted by the Department of Health and Human Services, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, 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 Mr. MARKEY (for himself, Mr. GRIJALVA, and Mr. LUJÁN):

H.R. 5960. A bill to amend the Healthy Forests Restoration Act of 2003 to improve the response to insect infestations and related diseases and to change the funding source for the Healthy Forests Reserve Program, to codify the stewardship end result contracting and good neighbor authorities, and to amend the emergency watershed protection program to improve post fire rehabilitation, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, 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. CAPITO (for herself, Mr. AKIN, Mr. ROSS of Florida, Mr. HARRIS, Mr. SMITH of Nebraska, Mr. JOHNSON of Ohio, Mr. HOLDEN, Mr. GRIFFITH of Virginia, Mr. GOODLATTE, Mr. THOMPSON of Pennsylvania, Mr. TERRY, and Mrs. NOEM):

H.R. 5961. A bill to provide reasonable limits, control, and oversight over the Environmental Protection Agency's use of aerial surveillance of America's farmers; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. HANNA, and Mr. FARR):

H.R. 5962. A bill to amend the Organic Foods Production Act of 1990 to require recordkeeping and authorize investigations and enforcement actions for violations of such Act, and for other purposes; to the Committee on Agriculture.

By Mr. COLE:

H.R. 5963. A bill to amend the Internal Revenue Code of 1986 to extend for 1 year the deduction for expenses of elementary and secondary school teachers and to allow such deduction with respect to home school expenses; to the Committee on Ways and Means.

By Mr. CUELLAR (for himself and Mr. MCCAUL):

H.R. 5964. A bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and the Judiciary, 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 Mr. GALLEGLY:

H.R. 5965. A bill to require the Chief of the Forest Service to make the Forest Service First and Second Generation Modular Airborne FireFighting System (MAFFS) units available to units of the Air National Guard and Air Force Reserve that have the aircraft capability and pilot and crew member training adequate for utilizing such firefighting systems to help alleviate the shortage of air tankers to fight wildfires; to the Committee on Agriculture.

By Mr. KING of New York (for himself and Mr. MEEKS):

H.R. 5966. A bill to establish a United States Boxing Commission to administer the Professional Boxing Safety Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, 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 Mr. MARKEY (for himself and Mr. WELCH):

H.R. 5967. A bill to amend title VI of the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity and energy efficiency standard for certain electric utilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POSEY (for himself and Mr. BUCHANAN):

H.R. 5968. A bill to amend the Consolidated Omnibus Budget Reconciliation Act of 1985 to authorize the Commissioner of U.S. Customs and Border Protection to enter into reimbursable fee agreements for the provision of additional services at Customs ports of

entry, and for other purposes; to the Committee on Ways and Means.

By Mr. WALBERG (for himself, Mr. TERRY, Mr. GOODLATTE, Mr. ROKITA, Mr. GOWDY, and Mrs. SCHMIDT):

H.R. 5969. A bill to preserve the companionship services exemption for minimum wage and overtime pay under the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. WALBERG (for himself, Mr. TERRY, Mr. GOODLATTE, Mr. ROKITA, Mr. GOWDY, and Mrs. SCHMIDT):

H.R. 5970. A bill to prohibit the Secretary of Labor from finalizing a proposed rule relating to the application of the Fair Labor Standards Act of 1938 to domestic service employees; to the Committee on Education and the Workforce.

By Mr. WALSH of Illinois:

H.R. 5971. A bill to amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes; to the Committee on House Administration.

By Ms. ZOE LOFGREN of California (for herself, Mr. CONYERS, Mr. PETERS, and Mr. DIAZ-BALART):

H. Res. 690. A resolution recognizing the Proclamation of the Refugee Congress; to the Committee on Foreign Affairs.

By Mr. LAMBORN:

H. Res. 692. A resolution recognizing the 30th Anniversary of the United States Air Force Space Command headquartered at Peterson Air Force Base, Colorado; to the Committee on Armed Services.

By Ms. MOORE (for herself, Ms. BASS of California, Mr. CONYERS, Ms. RICHARDSON, Mr. CLARKE of Michigan, Mr. GRIJALVA, Ms. LEE of California, Mr. RANGEL, Mr. STARK, Ms. WILSON of Florida, Ms. NORTON, and Ms. WOOLSEY):

H. Res. 693. A resolution expressing support for designation of June as ''National Family Reunification Month''; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII.

234. The SPEAKER presented a memorial of the House of Representatives of the State of Arizona, relative to House Memorial 2002 urging the Congress to pass House Joint Resolution 106; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KUCINICH:

H.R. 5959.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause III of the Constitution.

By Mr. MARKEY:

H.R. 5960.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority: Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The land at issue in this bill is but a small part of those holdings. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, Sec. 3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' Because of this express Constitutional authority, Congress has the right, if not the duty, to properly manage its public lands, including establishing forestation policies, and tree harvesting and tree salvaging. This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mrs. CAPITO:

H.R. 5961.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (Interstate Commerce Clause)

Article I, Section 8, Clause 18 (Necessary and proper clause)

By Mrs. CAPPS:

H.R. 5962.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. COLE:

H.R. 5963.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CUELLAR:

H.R. 5964.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. GALLEGLY:

H.R. 5965.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article IV, Section 3, Clause 2 of the United States Constitution, it is the power of Congress to ''make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States,''.

By Mr. KING of New York:

H.R. 5966.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MARKEY:

H.R. 5967.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. POSEY:

H.R. 5968.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. WALBERG:

H.R. 5969.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. WALBERG:

H.R. 5970.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. WALSH of Illinois:

H.R. 5971.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1: The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed by each state by the legislature thereof; but the Congress may at any time by Law make or such Regulations, except as to the Places of chusing Senators.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 329: Ms. HIRONO.
H.R. 458: Mr. BACA and Mr. CICILLINE.
H.R. 640: Mr. COURTNEY.
H.R. 687: Mr. RUSH, Ms. HIRONO, Mr. ALTMIRE, and Mr. ROONEY.
H.R. 692: Mrs. ADAMS.
H.R. 733: Mr. CARNEY.
H.R. 831: Mr. YOUNG of Florida, Mr. RUSH, and Mr. BISHOP of New York.
H.R. 890: Ms. NORTON.
H.R. 891: Mr. MILLER of North Carolina.
H.R. 904: Mr. MEEHAN and Mr. DEFAZIO.
H.R. 905: Mr. MARCHANT.
H.R. 930: Mr. JONES.
H.R. 931: Mr. ROKITA.
H.R. 987: Mr. CLARKE of Michigan.
H.R. 1063: Mr. PETERS.
H.R. 1084: Mr. SCHIFF.
H.R. 1116: Mr. LUJÁN and Ms. BROWN of Florida.
H.R. 1167: Mr. MICA.
H.R. 1172: Mr. BISHOP of Georgia.
H.R. 1236: Mr. KING of New York and Mr. ANDREWS.
H.R. 1277: Mr. PLATTS.
H.R. 1283: Mr. ROONEY.
H.R. 1285: Mr. GRIFFITH of Virginia.
H.R. 1307: Mr. KLINE.
H.R. 1394: Mr. CAPUANO and Mr. HIGGINS.
H.R. 1523: Mr. STARK.
H.R. 1533: Mr. DONNELLY of Indiana.
H.R. 1537: Mr. CARNEY.
H.R. 1546: Mr. GARDNER, Mr. SCOTT of South Carolina, and Mr. BISHOP of Georgia.
H.R. 1588: Mr. RIGELL.

H.R. 1614: Mr. TIBERI and Mr. AMODEI.
H.R. 1620: Mr. HEINRICH.
H.R. 1639: Mr. HECK and Mr. CUELLAR.
H.R. 1648: Ms. EDWARDS, Mr. FALEOMAVAEGA, Mr. HEINRICH, and Mr. PERLMUTTER.
H.R. 1700: Mr. AMODEI and Mr. WOMACK.
H.R. 1718: Ms. HIRONO.
H.R. 1755: Mrs. MYRICK.
H.R. 1842: Mr. CUMMINGS, Ms. MCCOLLUM, and Mr. CARNAHAN.
H.R. 1860: Mr. AMODEI.
H.R. 1919: Mr. COURTNEY.
H.R. 1946: Mr. MICHAUD.
H.R. 1983: Ms. LEE of California.
H.R. 2030: Mr. ELLISON.
H.R. 2032: Mr. THOMPSON of Pennsylvania and Mr. WOMACK.
H.R. 2077: Mr. GOODLATTE.
H.R. 2104: Mr. WOMACK and Mrs. MCCARTHY of New York.
H.R. 2123: Mr. WOLF.
H.R. 2139: Mr. CHABOT, Mr. BARROW, Mr. LEWIS of Georgia, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2194: Mr. MURPHY of Connecticut.
H.R. 2267: Mr. HASTINGS of Washington.
H.R. 2492: Mr. ENGEL and Mr. WALZ of Minnesota.
H.R. 2497: Mrs. HARTZLER, Mr. WESTMORELAND, Mr. WOODALL, Mr. GRAVES of Missouri, Mr. MICA, and Mrs. BLACK.
H.R. 2637: Mr. STARK.
H.R. 2655: Mr. CONYERS and Ms. JACKSON LEE of Texas.
H.R. 2705: Mrs. DAVIS of California.
H.R. 2746: Ms. BONAMICI, Ms. DELAURO, Mr. NADLER, Mr. LEWIS of Georgia, and Mr. DEUTCH.
H.R. 2918: Mr. CALVERT.
H.R. 2962: Mr. LATHAM and Mr. KLINE.
H.R. 2967: Mr. CLEAVER and Ms. CASTOR of Florida.
H.R. 3158: Mr. BOSWELL, Mr. MCINTYRE, and Mr. KISSELL.
H.R. 3187: Mr. COURTNEY, Mr. MILLER of North Carolina, Mr. SHERMAN, and Mr. KILDEE.
H.R. 3192: Ms. NORTON.
H.R. 3252: Mr. ISRAEL and Mr. REED.
H.R. 3264: Mr. QUAYLE.
H.R. 3357: Ms. CASTOR of Florida.
H.R. 3423: Mr. JONES, Ms. ROS-LEHTINEN, and Mr. CLARKE of Michigan.
H.R. 3435: Mr. MICHAUD.
H.R. 3496: Mr. SCHIFF and Ms. ZOE LOFGREN of California.
H.R. 3555: Mr. FILNER.
H.R. 3563: Mr. CASSIDY.
H.R. 3634: Mr. LOBIONDO.
H.R. 3643: Mr. SCOTT of South Carolina and Mr. GOSAR.
H.R. 3661: Mr. GUTHRIE, Mr. SMITH of Washington, Ms. MCCOLLUM, Ms. JACKSON LEE of Texas, and Mr. COURTNEY.
H.R. 3767: Mr. JOHNSON of Georgia and Mr. BARTLETT.
H.R. 3798: Ms. SLAUGHTER, Ms. WILSON of Florida, and Mr. RUPPERSBERGER.
H.R. 3831: Mr. ANDREWS and Mr. YOUNG of Alaska.
H.R. 3984: Mr. LEWIS of Georgia.
H.R. 3987: Mr. COBLE.
H.R. 4055: Mr. FARR.
H.R. 4057: Mr. RUSH.
H.R. 4066: Mr. GOODLATTE and Mr. KEATING.
H.R. 4077: Mr. PASTOR of Arizona.
H.R. 4091: Mr. CLARKE of Michigan, Mr. MICHAUD, and Ms. PINGREE of Maine.
H.R. 4122: Mr. KILDEE.
H.R. 4160: Mr. MCHENRY.
H.R. 4165: Mr. MILLER of North Carolina and Mr. GALLEGLY.
H.R. 4169: Mr. PASTOR of Arizona and Ms. HIRONO.
H.R. 4195: Ms. MOORE.
H.R. 4202: Ms. NORTON and Mr. CONYERS.
H.R. 4215: Mr. KISSELL and Mr. TERRY.
H.R. 4235: Mr. LUETKEMEYER.
H.R. 4264: Mr. BISHOP of Georgia, Mrs. CAPITO, Mr. JONES, Mr. RENACCI, Mr. SCHWEIKERT, Mr. STIVERS, Mr. DUFFY, Mr. ROYCE, Mr. DOLD, and Mr. MANZULLO.
H.R. 4277: Ms. CHU.
H.R. 4287: Mr. WOMACK, Ms. MCCOLLUM, Mr. SMITH of Washington, and Mrs. CAPPS.
H.R. 4296: Mr. BACA, Ms. MATSUI, Mr. FARR, and Mrs. NAPOLITANO.
H.R. 4353: Mr. DANIEL E. LUNGREN of California.
H.R. 4367: Mr. AUSTIN SCOTT of Georgia, Mr. HIMES, and Mr. PAUL.
H.R. 4373: Mr. VAN HOLLEN.
H.R. 4405: Ms. DELAURO and Ms. SCHWARTZ.
H.R. 4609: Mr. BISHOP of New York and Mr. PERLMUTTER.
H.R. 4643: Mr. CANSECO.
H.R. 4972: Mr. HINCHEY and Mrs. NAPOLITANO.
H.R. 5186: Mr. STARK.
H.R. 5331: Mr. TOWNS.
H.R. 5542: Mr. HIGGINS and Mr. PERLMUTTER.
H.R. 5647: Ms. WASSERMAN SCHULTZ, Mr. DINGELL, Mr. CICILLINE, Mr. MILLER of North Carolina, and Mr. CLAY.
H.R. 5691: Mr. KUCINICH.
H.R. 5707: Mr. CONNOLLY of Virginia and Ms. HIRONO.
H.R. 5710: Mr. LATTA.
H.R. 5741: Mr. MEEKS.
H.R. 5746: Mr. DAVIS of Illinois, Mr. VAN HOLLEN, and Mr. BOUSTANY.
H.R. 5796: Mr. BISHOP of Georgia.
H.R. 5846: Mr. KLINE.
H.R. 5850: Ms. HAHN.
H.R. 5864: Mr. OWENS, Mr. RYAN of Ohio, and Mr. HIGGINS.
H.R. 5865: Mr. MANZULLO, Mr. DINGELL, Mr. SCHILLING, Mr. DOYLE, Mr. LANCE, Mr. LYNCH, Mr. HULTGREN, Mr. GENE GREEN of Texas, Mr. GUTHRIE, and Mr. DUNCAN of Tennessee.
H.R. 5873: Mr. YOUNG of Alaska, Mr. BOREN, Mr. ADERHOLT, Mr. ROGERS of Alabama, Mr. LABRADOR, and Mrs. MCMORRIS RODGERS.
H.R. 5907: Mr. THOMPSON of California, Mr. DANIEL E. LUNGREN of California, and Mr. DENHAM.
H.R. 5911: Mr. KLINE and Mr. SMITH of Nebraska.
H.R. 5912: Mr. KLINE and Mr. LANKFORD.
H.R. 5914: Mr. CULBERSON and Mr. PERLMUTTER.
H.R. 5942: Mr. BURGESS.
H.R. 5943: Mr. HOLDEN and Mr. LARSON of Connecticut.
H.R. 5948: Mr. FLORES.
H.R. 5949: Mr. REYES.
H.R. 5953: Mr. ROONEY, Mr. JONES, Mr. MARCHANT, Mrs. ADAMS, Mr. GOWDY, and Mrs. BLACK.
H.R. 5957: Mr. PALAZZO, Mr. MCKINLEY, Mr. AKIN, and Mrs. MYRICK.
H.R. 5958: Mr. REED.
H.J. Res. 81: Mrs. LUMMIS.
H.J. Res. 88: Mr. CAPUANO.
H.J. Res. 90: Mr. CAPUANO.
H.J. Res. 110: Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. BARTLETT, Mr. DAVIS of Kentucky, Mr. BROUN of Georgia, Mr. NEUGEBAUER, Mr. GINGREY of Georgia, Mrs. MCMORRIS RODGERS, Mr. BACHUS, Mr. GOSAR, Mr. LATTA, Mrs. MILLER of Michigan, Mr. FINCHER, and Mr. KLINE.
H. Con. Res. 63: Mr. CICILLINE.
H. Con. Res. 87: Mr. COHEN.
H. Con. Res. 114: Mr. ADERHOLT.
H. Con. Res. 119: Ms. ROYBAL-ALLARD.
H. Con. Res. 122: Mr. LANCE.
H. Con. Res. 127: Mr. ROYCE, Mr. PALLONE, Mrs. BLACK, and Mr. MACK.
H. Con. Res. 129: Mr. ROGERS of Michigan, Mr. WALBERG, Mr. HUIZENGA of Michigan, Mrs. NAPOLITANO, Mr. BISHOP of Georgia, Mr. WILSON of South Carolina, Mr. BOSWELL, Mr. GOSAR, Mr. BARTLETT, Mr. ROTHMAN of New Jersey, Mr. LOBIONDO, and Ms. BORDALLO.
H. Res. 20: Ms. BONAMICI.
H. Res. 111: Mr. WATT and Mr. RYAN of Wisconsin.
H. Res. 298: Mr. PALAZZO, Mr. MARCHANT, Mr. CLAY, and Mrs. HARTZLER.
H. Res. 387: Mr. BILIRAKIS.
H. Res. 613: Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. DOYLE, and Mr. BOSWELL.
H. Res. 618: Ms. MOORE, Mr. ROE of Tennessee, Ms. BASS of California, Ms. LINDA T. SÁNCHEZ of California, Mr. ROGERS of Michigan, and Mr. FRANK of Massachusetts.
H. Res. 630: Mr. ROSS of Florida, Mr. MICA, Mr. PALAZZO, Mr. CANSECO, Mr. BROUN of Georgia, Mr. TURNER of New York, Mr. LANCE, Mr. FARENTHOLD, Mr. LONG, and Mr. COFFMAN of Colorado.
H. Res. 632: Mr. WHITFIELD.
H. Res. 663: Mr. YODER and Mr. KING of New York.
H. Res. 676: Mrs. MALONEY and Mr. SIRES.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative HASTINGS of Washington, or a designee, to H.R. 4480, Strategic Energy Production Act of 2012, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. WILSON of South Carolina.
H.R. 3238: Mr. BERG and Mr. ROGERS of Kentucky.