

thank the chairman of the Appropriations Committee for his work and the staff on the hard work they have done on this bill. Based on the limited allocation that they have received, I think they did a pretty good job.

Mr. Chairman, I want to speak specifically to a provision in the bill that I support, and I want to thank Mr. DICKS for putting the provision in the bill, and I want to thank the chairman for allowing it to stay in the bill.

Basically, the provision I would like to speak to is the sense of Congress in this bill that deals with the fact that this Congress should pay attention to, work with, and try to understand the increasing amount of carbon dioxide into the atmosphere, and what does that mean.

Carbon dioxide in the atmosphere, while it represents a tiny fraction of 1 percent of the whole atmosphere, is the chief gas that determines the heat balance; it determines the climate. And there is a scientific consensus that within the last 100 years, especially within the last 50 years, human activity burning fossil fuel has put huge amounts of carbon dioxide in the atmosphere, thus debilitating or changing that heat balance that we have known for a long time.

An example: 10,000 years ago, at the end of the Ice Age, it is calculated through analysis that there was 180 parts per million of carbon dioxide in the atmosphere. It took 10,000 years for that to go up 100 points, 10,000 years. Now, in the last 100, but especially in the last 50 years, it has risen 100 points. So what the natural environment did in 10,000 years, human activity burning fossil fuel has done in less than 100 years.

Now, what does that mean? Does that mean whoever talked about global warming is crying Chicken Little, the sky is falling; don't worry about it, nothing will happen? Or does it mean we need to pursue knowledge?

What it means is, that increase in carbon dioxide in less than 100 years that took the natural process 10,000 years to produce, this U.S. Congress, this government should pay attention to that issue. And the sense of Congress contained in this legislation should remain in this legislation.

I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentleman on his statement. This is not an issue that should be partisan in any way. We have had six former EPA administrators in both parties say that this is the issue of our time. A former Member, former Vice President of the United States, Al Gore, has made a national issue out of this. I would like the gentleman to repeat what he said about Greenland. I thought that was very dramatic. I would appreciate it. I think we have more Members now. If you would repeat that, I think that would be important to the debate.

Mr. GILCHREST. Greenland is an interesting place because you can go

back several hundred years. People were tracking the increasing or decreasing glacier ice cap. So there is a very accurate record. We saw some 20 years ago that the ice cap really significantly began to melt and about 20 cubic miles of ice was flowing into the North Atlantic. Today, that has increased to 53 cubic miles of ice cap on Greenland flowing in the form of water, melted water, into the North Atlantic. The rate we are going, we are going to lose the Greenland ice cap. When we do lose the Greenland ice cap, sea levels will rise 23 feet around the globe.

Mr. DICKS. I want that to be repeated: 23 feet. I want my colleagues from Florida who are sitting here on the floor to think about what that would mean in Florida, what that would mean in the coast of California, the coast of Washington.

Mr. GILCHREST. New York City. Boston.

Mr. DICKS. This could be a catastrophic event. Yet we are not even willing to have a sense of the Congress resolution that says that human activity may be part of the problem. I mean, we have got to wake up on this. It is time to wake up.

The former Vice President has been out making speeches all over the country. There was a movie which opened last night on this issue. This could be the issue of all time. If we don't get busy and start realizing we have got a role and a responsibility to play here, it may be too late. For every one of us who either has grandchildren, or may have grandchildren, we have got to think about this. What legacy are we leaving if we don't face up to this reality?

The authorizers simply haven't done it. That is why the chairman, I thought, was very kind to accept this amendment. But now I understand they are going to knock it out on a point of order. This is like putting your head in the sand. I want to thank the gentleman from Maryland, who is one of the more enlightened Members of this body, for all the facts that he has brought to this debate today. I hope somehow working together we can resurrect this at some future point. I would hope even that maybe the chairman of the Commerce Committee might rethink his opposition to this sense of the Congress resolution.

The CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. KUHLMANN of New York) assumed the chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR,  
ENVIRONMENT, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2007

The Committee resumed its sitting.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, 25 years ago, I stood at this very microphone at this very desk and offered the amendment that initiated the first Outer Continental Shelf moratorium dealing with drilling for oil and gas. Over the years, that 25-year period, working with industry, working with the Federal Government, working with the State government and working with the Congress, we have evolved a program that has worked. During that time we have opened up some of the areas for exploration and for drilling. During that time we have also bought back some of the leases that were environmentally threatening.

This amendment that was added in the appropriations committee, the so-called Peterson amendment, happened without any hearings on the part of the subcommittee, no hearings on the part of the appropriations committee, and now we are trying to do something about that, at least give us time to work with our own House committee that has been working diligently for the last 6 to 8 months on trying to come up with a proper type of moratorium.

We should not allow this language, the so-called Peterson amendment, to stay in this bill today. We should continue the work with the House committee that is already working on it and try to maintain the environmental protection that is so important to so many areas of the waters in and around the United States of America.

As I said, this moratorium has been here for 25 years. It has evolved during that time. It has worked extremely well. I believe that we should be very careful in changes that we might make and we shouldn't make them wholesale without definite thought and consideration.

□ 1300

I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentleman from Florida who has been a leader on this issue. We all know the sincerity of Congressman PETERSON on this issue. It is a very important issue. But I want to say, I agree with you. I think to do it in an appropriations bill, and especially when it is part of the President's budget and the plan, to me this isn't the right way to proceed. I realize that there is some history here but it is 25 years since this was done and I think this has worked very effectively. Let's try to work together to maintain this provision.

Mr. YOUNG of Florida. I thank the gentleman for his thoughts.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I was really going to wait and discuss this on the Peterson amendment or at least on the Putnam-Capps amendment to strike the Peterson language that is in the bill, but listening to all the Members, I thought maybe we ought to at least have a voice that is on the other side.

I can't near entertain as much as my colleague from Hawaii, who I agree with on this, and I am not going to call environmentalists Taliban, but I know we have considered this amendment for over a year and this issue has been debated on this floor many times, including the energy bill last year.

Supply and demand for energy is out of whack and our Nation needs more energy. The Federal Government tried to mandate demand reduction in the last energy crisis and it contributed to a nationwide recession we do not want to repeat. Opening the Outer Continental Shelf could save \$300 billion in natural gas costs over 20 years for consumers and manufacturers. High natural gas costs are sending manufacturing jobs overseas, following the cheap gas. Environmentally conscious nations like Norway, Denmark, Canada, Japan and the United Kingdom are safely and successfully producing natural gas from their coastal waters. Canada uses natural gas only wells in Lake Erie, but right across the line the U.S. is not allowed to do the same.

No nation can produce energy more responsibly than ours. I have been on oil and gas rigs and they have such few discharges into the ocean, a medium sized fishing boat will leak more in a year.

The Peterson language is a major opportunity for us to respond to today's energy crisis with a national solution. I feel justified in supporting the amendment because I come from a coastal district. My constituents feel the same way. Chemical production and oil and gas exploration, processing and refining are Texas' top coastal industries.

My colleagues from California and Florida think only they have beaches. We have coastal tourism and it is our second biggest income producer. That fact alone shows that the argument that oil and gas production and coastal tourism is mutually exclusive is just plain wrong.

I would close by saying if you're acting like Chicken Little and cannot point to one beach in Texas that has been ruined by oil and natural gas, then you should oppose the Putnam, Capps, et al. amendment.

There will be less need for LNG facilities and LNG tankers when we tap our own offshore resources so we can use the safest mode of transportation in the world—pipelines.

To address the needs of American families, we need a 3 pronged strategy. First, we need more production and infrastructure to meet our needs of today and tomorrow.

Second, we need more conservation to keep our economy going as resources become more competitive globally.

Third we need more research to transition our economy to future sources of energy, for a time when petrochemicals are only used for materials, and not as an everyday fuel.

Supporting only long-term solutions and conservation is just not enough. It might be easier if it was, but we need to do more for today's energy problems. We will need continued American energy production for some time.

If we allow domestic production to die out, conservation and research will not save us, and we will have to pay a terrible economic price.

I urge my colleagues to support oil and gas production in the Outer Continental Shelf, and oppose this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Chairman, the Interior and Environmental appropriations bill we have before us today is a responsible, balanced piece of legislation that very much deserves our support. It might not be a perfect bill, but it is the best possible product given the tight budget restraints that we have had trying to control Federal spending. Chairman TAYLOR and Ranking Member DICKS deserve our respect and gratitude for drafting a bill which funds a variety of Federal responsibilities, including our national parks, our Federal forests, abandoned mine reclamation, fish and wildlife resources, EPA, Indian programs, museums and arts agencies.

This is a bipartisan bill, and it is the product of fair and impartial hearings.

I think it is fitting that this first appropriations bill of the season shows that it is funded at \$211 million below the current fiscal year. We are on a track here to some fiscal sanity.

Tough choices had to be made. The chairman made the right choices.

Also important, it includes a very important amendment offered in full committee by Mr. PETERSON which modifies the current congressional moratorium to allow for safe and efficient production of natural gas along our Outer Continental Shelf. This is a rational step to take in a time when we need to be increasing domestic production to meet our Nation's energy needs. Any effort to take this out would be the wrong thing to do right now. This is in this bill because that is where the rule is.

I believe that this bill provides the environmental, energy, resource, cultural and recreational needs of our Nation while still playing a significant role in controlling Federal spending.

Again, I commend the chairman and Mr. DICKS for their hard work in bringing this bill to the floor, and I urge my colleagues to support the bill and to support the Peterson amendment.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR), my friend and colleague.

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

Mr. FARR. Mr. Chairman, let us be very clear what is going on here. This is an election year. Everybody in this House is up for election.

The Governor of California and the President of the United States, who is the former Governor of Texas, have not supported the idea that we ought to open up oil and gas drilling under the guise of just doing gas drilling off the coast. Why? Because they represent States and a Nation that knows that one of the biggest industries in this Nation is tourism, and tourism is jobs. I can assure you, the people do not go visit the coasts of Florida, the coasts of California to watch oil wells. That is not what draws tourism to the coast. It is not what makes those coastlines the biggest economic engines in the United States.

This is not about trying to respond to the high gas prices. This is a giveaway. The oil companies tell you they are not interested in offshore drilling because there is a lot of expense that goes into it and it takes years and years. So just be mindful, what is this? This is a play to the oil companies.

Let me just tell you what the Governor of California says, the biggest gas guzzling State in the Nation, "The current movement to lift the ban is nothing more than a weak attempt to cater to oil interests in the face of high gasoline prices. I encourage you to move your focus instead to reducing our consumption of fossil fuels and supporting the development of alternative fuels such as ethanol in order to diversify our energy portfolio."

Let us be creative about how we diversify the energy portfolio. Let us not use the dinosaur effect that we are just going to go after oil and gas wherever it was. These same people will tell you if there is oil right under this Capitol, drill for it. My God, can we not in the leadership of the United States Congress respect the fact that it is just not about oil and gas, it is about a lot of other values in this country?

The provision in the bill is a bad one, and I strongly support the amendment to take it out.

STATE CAPITOL,  
Sacramento, CA, May 10, 2006.

CALIFORNIA CONGRESSIONAL DELEGATION,  
House of Representatives,  
Washington, DC.

DEAR CALIFORNIA CONGRESSIONAL DELEGATION: I strongly oppose any efforts to end or weaken the federal moratorium on oil and gas leasing off the coast of California and I will fight any effort to expand offshore drilling as long as I am Governor. This current movement to lift the ban is nothing more than a weak attempt to cater to oil interests in the face of high gasoline prices. I encourage you to move your focus instead to reducing our consumption of fossil fuels and supporting development of alternative fuels such as ethanol in order to diversify our energy portfolio.

The moratorium has been in place for twenty-five years and enjoys widespread support from the people of California, including bipartisan support from elected leaders. It has been widely recognized by an overwhelming majority of Californians that there are better ways to address our energy

needs without populating our waters with oil platforms and adding additional scars to our beautiful coastline.

The actions taken today by the House Appropriations Committee is extremely disappointing. As a result, the federal FY07 Interior Appropriations bill that you will be asked to vote on as early as next week ends the twenty-five year bipartisan Congressional moratorium and the protection it guarantees California's coast. Moreover, the bill's provisions would allow drilling to begin just three miles from our coast. Rather than watching the sun set on the western horizon each day, millions of Californians and visitors will now see grotesque oil platforms in plain sight. I urge the Delegation to oppose these provisions and work to defeat them during the House debate. California's beautiful coastline is an integral part of our culture, our heritage and our economy. Putting it at risk would be an absolute travesty.

The price of gasoline has risen dramatically in California, but reducing our use of fossil fuels and diversifying our energy supply would have a much greater and more direct impact on prices than drilling off shore. California has gone to great lengths to do just this. We have dedicated \$6.5 million to the Hydrogen Highway initiative to build hydrogen fueling stations and expand research for cleaner, reliable fuels; we have implemented new car standards that will reduce emissions by thirty percent in the next ten years, cutting ozone-forming pollutants by five tons per day by 2020; we have invested \$165 million to get gross polluters off of California's streets; and finally, we have created incentives to reduce gasoline consumption by making more people eligible to receive \$1,000 when they turn in gross-polluting, inefficient vehicles. California leads the nation on these initiatives.

Ending or weakening the current moratorium on offshore oil and gas leasing will not result in reduced prices for consumers nor is it the foundation for a sustainable energy policy. I urge your support for renewing the OCS moratorium and your continued support for California's economy and coastal environment.

Sincerely,

ARNOLD SHWARZENEGGER,  
*Governor.*

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Chairman, later today, we will debate a natural gas exploration provision in this bill over which I have grave concerns. Thus, Mr. Chairman, I rise in support of the bipartisan Putnam-Capps amendment.

We are all acutely aware of the financial strain that higher gas prices place on average Americans. We imperil our national and economic security if we do not identify alternative energy sources to meet our Nation's ever increasing demand for energy.

The answer, however, is not in this provision. It will end the 25-year bipartisan Outer Continental Shelf, OCS, moratorium that Chairman YOUNG spoke earlier about and, thus, allow construction of these gas wells as close as 3 miles from every coastal State.

From an economic perspective, this provision will jeopardize coastal economies that rely on healthy tourism industries for continued prosperity. Set-

ting up natural gas wells visibly 3 miles from the shore would have a crippling effect on these coastal communities and the residents whose livelihoods they support.

Additionally, opening up our most sensitive coastlines to offshore natural gas drilling within these 3 miles could adversely impact the coastal waters, the fisheries and the marine ecosystems.

If the Putnam-Capps amendment is not adopted, States would be shut out from offshore oil drilling decisions. Coastal Governors and the State legislatures would be denied a meaningful role in decisions about where and when drilling might occur. They would be silent, yet subject to a Federal mandate.

Finally, the Secretary of Defense has indicated that areas east of the military mission line are vital to military operations and training. Specifically, Secretary Rumsfeld has indicated that language akin to what is currently in this bill would be incompatible with military operations and that it could be crucial to our Nation's security.

For these reasons, I urge my colleagues to support the bipartisan Putnam-Capps amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman.

It is sad that as we stand on the cusp of the most profound change in our environment the civilized world has ever seen, the actions of a few in Congress can stop desperately overdue action.

The science is clear. This is not a problem of the future. It is happening now. The United Nations has declared that at least 5 million cases of illness and more than 150,000 deaths every year are attributed to global warming. The 2003 European heat wave killed over 20,000 people. The 10 hottest years on record have occurred in the last 15 years. Two consecutive record-breaking hurricane seasons. The problem will not fix itself.

And yet we will not allow a provision in this bill that has no timeline, no specific targets and no commitment. The committee inserted text that merely expressed the sense that we should take action on global warming, but the Rules Committee chose to leave it open to challenge by anyone, and I understand that challenge will be coming on a technicality. So we cannot even say we should be doing something about this.

Just how bad does it have to get?

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I rise in strong support of the Putnam amendment that will be given later here this evening.

We have heard a lot today about drilling off the coast of Florida. Let me make a parallel here and something every Member should think about. Would we allow oil rigs on the edge of

the Grand Canyon, on the rim? How about at the foot of Old Faithful?

The Florida beaches are really tremendously important. When you start to think about how far that this bill, as it is presently written, would bring these oil wells and gas wells into proximity to our beaches, we are talking about 3 miles. The line of sight is over 7 miles.

This bill just goes way too far in really imposing mass destruction on our beaches and on our tourism. Florida beaches are really the most important thing that we have for our economy. It is the lifeblood of our economy, and the very thought that with the tremendous opposition that Florida has to this particular amendment that this body would do anything except strike it.

I urge all my colleagues, Democrats and Republicans, this is a bad provision. ADAM PUTNAM is going to be putting an amendment in this evening that would strip it out of this particular bill, and I think as Mr. YOUNG said earlier, that if we are going to be doing this, you need discussion and you need to talk about it.

It was said that we have talked about it. I cannot remember one time that we have ever talked about bringing them within 3 miles of the coastal State of Florida.

I urge all my colleagues to vote with the Florida delegation. Kill this amendment to the appropriations bill that was put in inside the committee and support the Putnam amendment that would strip it out.

Mr. HINCHEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, we have had a lot of discussion about the amendment that has been put forward by the gentleman from Pennsylvania (Mr. PETERSON). There are some technical problems with this amendment that I think have not been adequately addressed in the context of this debate thus far.

□ 1315

One of those technical amendments has to do with the fact that the experts on this issue, both within Interior and Energy, believe that it may not be possible to give leases for the extraction of natural gas alone. All the leases that we have currently are for natural gas and oil. And the reason for that is, if you drill for natural gas, the likelihood is that you are going to hit oil. And if you hit oil, and you are not capable or prepared to deal with that, then you are going to encounter some very serious problems.

So the amendment that Mr. PETERSON is going to bring before the House sometime later this afternoon or this evening has within it this very serious technical problem, and for that reason alone it ought to be rejected.

The gentleman from Florida, the former chairman of the Appropriations Committee, was up here just a few minutes ago talking about the serious damage that this amendment, if it is

passed and put into action, might have on the tourist industry in Florida and on the general situation of the coastal region in Florida and California and in parts of the gulf.

So when you are thinking about this particular amendment, keep in mind that if you think you are going to drill just for natural gas, the likelihood is if you hit natural gas you are going to hit oil too. And if you are not prepared for it, you are going to have some very serious problems. We ought to address this issue, but address it in a much more comprehensive way.

As has been pointed out, again by the gentleman from Florida on the other side of the aisle just a few minutes ago, we have not had adequate hearings on this. This is an issue that has not gone through the appropriate authorizing committee. We are attempting to inappropriately put it into the context of this appropriations bill, and for that reason also that amendment ought to be rejected.

Furthermore, we need to be conserving our natural resources, particularly our energy resources. Anything that you find anyplace in the world on energy resources, natural gas and oil, these materials are fungible. They go out anywhere. If we are smart about our natural resources, we ought to be doing everything we can to conserve them, keep them where they are because the value of those natural resources is going to dramatically increase over time. If we exploit them now, extract them now, exhaust them now, we are going to be very sorry for it later on.

In addition to that, we have another circumstance with regard to this amendment and the ideas behind it, and that has to do with the fact that we are not now receiving adequate royalties from the natural resources, particularly petroleum and natural gas, that are being extracted by oil companies from public lands, whether those public lands are dry or under water. And there will be an amendment coming up later this evening, in all likelihood towards the end of this bill, which will deal with the need to get those royalties.

So for those reasons I think that this amendment ought to be rejected.

Mr. Chairman, may I inquire as to how much time we have.

The CHAIRMAN. The gentleman's time has expired.

Mr. HINCHEY. The entire time for the bill?

The CHAIRMAN. The entire time for general debate has expired. The gentleman from North Carolina remains the only person with time, and he has 9½ minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the appropriations chairman, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my chairman yielding me this time, and I want to express my deep appreciation to him

for his work, as well as for Norm Dicks of Washington. This is a fabulous bill, in my view. It is the first step in the passage of 11 of our bills between now and the 4th of July break, all of them off the House floor.

This bill reflects exactly the approach and style we are attempting to take within our committee this year and in the years ahead. The total spending on this bill provides \$19.5 billion in total discretionary spending. That is a \$145 million decrease from the previous year.

The chairman and the ranking member are attempting to help us balance the importance of preserving our resources, our environment, and, indeed, our country as we move towards energy independence. And one of the pieces of preserving our independence is to make certain that our appropriations process is spending less money, not more money, in the years ahead.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. I thank the chairman for yielding me time. Opponents of the Putnam-Capps amendment say that the underlying language does nothing to hurt the readiness of our military here in the United States, and I can say that that is 100 percent wrong.

This map is the eastern Gulf of Mexico off the State of Florida. This is a joint test range that extends from the panhandle of Florida all the way to Key West. Let me tell you, the Air Force uses this for live fire. Live fire. And the Navy uses the gulf ranges to predeploy certification and to fire Tomahawk cruise missiles from submarines.

Now, I want to read you a list, if I can, which is just a sampling of some of the future and current missions conducted in the eastern Gulf of Mexico: the F-35 Joint Strike Fighter initial training and live fire; the F-22 pilot upgrade training, including the AMRAAM live fire; Tomahawk cruise missiles launched from submerged vessels; testing of Small Diameter Bomb program against man-made targets in the Gulf of Mexico; F-16 weapons system testing and evaluation; air dominance munitions; unmanned combat air vehicles; directed energy weapons and classified programs.

Now, the former commander of the Air Armament Center, Major General Robert W. Chedister, said last August: "Clearly, structures associated with oil and gas production are totally incompatible with, and would have a significant impact on, the mission activity in the eastern Gulf of Mexico."

The Secretary of Defense, Donald Rumsfeld recently wrote: "Areas east of 86/41, which is the military mission line, commonly known as the mission line, are critical to DOD." He went on to say: "In these areas east of the military mission line, drilling structures and associated development would be incompatible with military activities,

such as missile flights, low-flying drone aircraft, and weapons testing and training."

Now, let me show you where that military mission line is. The underlying language in this bill would open the door to drilling in the entire Joint Gulf Range and is completely incompatible with the military mission of our Air Force and our Navy. We cannot allow this area to be impacted.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Chairman, I wish to engage in a little colloquy with you.

As you know, the administration proposed \$49.5 million for the National Clean Diesel Initiative, which was authorized at \$200 million in the Energy Policy Act. We were only able to fund that at \$26 million. I am concerned the demand will far exceed the amount the committee was able to provide.

For example, Pennsylvania's 13 school districts have filed applications with EPA for funding to retrofit diesel engines, and we are going to have a lot more of this.

I would like to yield to my friend from New York (Mr. KUHLE).

Mr. KUHLE of New York. Mr. Chairman, I want to compliment my colleague from Pennsylvania (Mr. SHERWOOD) on his efforts on this particular important matter. And while he addresses the issues dealing particularly with his district in Pennsylvania, which I think is laudable, we should know that actually diesel engines play a very important role in our Nation's economy. They are, however, responsible for a substantial portion of particulate matter emissions and there are 11 million vehicles that need to be retrofitted, nearly 500,000 of which are school buses, which my colleague has addressed.

So I compliment again my colleague, Mr. SHERWOOD, for approaching this problem, and certainly I compliment the chairman for what he has been able to do. Hopefully, he will be able to supplement what has been appropriated in this bill by substantial increases in the appropriation.

Mr. TAYLOR of North Carolina. Mr. SHERWOOD, I agree that the demand for funding for retrofitting diesel vehicles has exceeded the funding made available to date. However, it is important to note that in fiscal year 2006, funding for programs under the National Clean Diesel Initiative was less than \$12 million, and the \$26 million recommended by the committee for fiscal 2007 represents an increase in funding of nearly 120 percent.

I have been personally involved in programs to promote the use of diesel retrofits back in my district, and I believe the generous amount provided by the committee will make significant strides in addressing the clean diesel program's objectives. Having said that,

I would be happy to work with my colleagues to see if we might be able to increase the funding for this program should additional funds be made available when we go to conference with the Senate.

Mr. Chairman, I yield 3½ minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. I thank the chairman. We are beginning the most important debate this country has had on energy in a long time, and I am glad to see we have finally moved forward.

My good friend, BILL YOUNG, 25 years ago started the moratorium. Back then, the cost of natural gas was a dollar something a thousand. Oil was less than \$10. It didn't matter that we locked up our resources. Last year, the average price of natural gas was \$9.50. At times it was 14 and 15, and the rest of the world was a fraction of that. We are putting our industries and businesses out of business in this country.

We have witnessed today serious fear from coastline people, and I respect that. This is not "us against you." This is about America. Fear is only in our hearts when we don't have the facts, and I feel convinced in my heart that when we have the facts, and we debate this issue, we will do the right thing and we will figure out how to produce natural gas off our shorelines at the right distance so that we have wonderful tourism, we have affordable energy, our people can stay in their homes in the north and keep warm, and our businesses can stay in this country and prosper and build our economy.

Now, this bill, if it passes, only removes the legislative moratorium. The Presidential moratorium still remains. I could not remove that because that is legislating on an appropriations bill. We still have the 5-year plan, which is a 2- or 3-year process that we all react to before any drilling is done anywhere. We have to change language that we can have gas-only leases. You all know that I have a bill that gives 20 miles of shoreline protection and gives the States control over that and only allows for natural gas production.

Folks, States like Florida, that use 235 times more gas than they produce, could be self-sufficient and could bring in a lot of money to the State of Florida. California likewise, huge energy users, could bring in huge amounts of money and could produce natural gas only.

And those who say we can't produce natural gas only just don't understand how you drill. I grew up in this. I have never been in the oil business, but I grew up around it. You drill through the layers of the surface. You drill through oil sands, coal sands, and gas sands; and you put a steel casing down, you cement the top and the bottom, and you go back and open that casing up where you want to produce. It doesn't all just come gushing out.

We have been drilling for oil for hundreds of years. It is a sound science

today. I am not promoting oil, but the last major oil spill was Santa Barbara in 1969. How long do they have to do it right? There has never been a gas well that has polluted a beach and made it a place we wouldn't want to be.

I have spent dozens of vacations on Florida beaches. I just spent a week at Duck. Do you think I don't appreciate the value of that, folks? But I also want my kids and my grandchildren to have a job and to have economies, and polymers, plastics, petrochemicals, bricks, and all of the industries, steel and aluminum, which use huge amounts of natural gas.

The President of U.S. Steel told me his cost went up \$600 million; and if we don't get gas below \$8 consistently, he cannot compete in America. Every glass company will be in South America where gas is \$1.87, and every brick company. We won't even make bricks in America. We will bring them in from South America. The petrochemical business has 120 plants being built, with one in America. The rest will move jobs out of this country when they are completed, folks.

We don't have a lot of time. We need to provide affordable energy.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Chairman, I want to rise to express my strong opposition to language in the bill that earmarks \$13 million in funding to continue operations at an existing U.S. Geological Survey mapping facility in Rolla, Missouri. This facility is planned to be closed based on a careful and thorough analysis of the 21st-century role of the USGS mapping. The amendment also prohibits the planned consolidation of the mapping functions at the USGS, which is estimated to save the American taxpayers millions of dollars.

□ 1330

Two formal investigations, including one by the Department of the Interior's Inspector General, have assessed the process used to select the consolidated site and have supported the decision.

I would like to yield back to the chairman and engage him in a colloquy and suggest to him that we have an obligation here in Congress to be prudent stewards of the taxes that our constituents back home pay and give them value for the dollars with improved service.

I believe this earmark fails both standards of accountability, and I would ask and hope that the chairman can correct that error in conference.

Mr. TAYLOR of North Carolina. I say to my friend and colleague that I share his concern and will work with him in the conference to do what we can.

Mr. BEAUPREZ. I thank the chairman.

Miss McMORRIS. Mr. Chairman, the northern portion of my district in Washington State is contiguous with the United States border with Canada. One of the Indian tribes in my

district, the Confederated Tribes of the Colville Reservation, has for the last several months been experiencing an epidemic of crossborder drug smuggling activity from Canada onto its reservation. I mention this, Mr. Chairman, because since 1990 Congress has funded a very important program that as of late has had a direct impact in fighting this smuggling activity, and I am hopeful that the Congress can again restore the funds in this bill.

This program, identified as Lake Roosevelt Management/Enforcement funds in the Bureau of Indian Affairs budget, enables both the Colville Tribe and the Spokane Tribe to employ law enforcement officers to patrol Lake Roosevelt and its shoreline to enforce Federal laws and tribal health and safety laws. Lake Roosevelt is the 151-mile reservoir of the Grand Coulee Dam, the largest hydroelectric power plant in the United States and the third largest in the world. A portion of the dam lies within the boundaries of the Colville Reservation.

Currently, the Colville Tribe's law enforcement officials are under increasing strain due to crossborder smuggling activity that is on the rise. In recent months, numerous sightings of unmarked fixed-winged aircraft capable of landing on water have been reported on the lakes and waterways within and near the Colville Reservation.

Most significantly, on March 15 of this year, Colville tribal law enforcement officers funded with the Lake Roosevelt Management/Enforcement funds seized an unmarked float plane from Canada that was attempting to smuggle illegal drugs into the United States through the Colville Reservation. After being alerted to the plane and after a long chase, the tribe's officers captured and detained the pilot and handed over to Federal law enforcement authorities an estimated \$2 million in illegal drugs that had been dropped by the plane on the bank of Columbia River near the Grand Coulee Dam. Last month the U.S. Border Patrol honored the Colville Tribal officers that participated in this seizure.

In addition to this incident, other incidents involving float planes from Canada smuggling drugs through the lakes and waterways on the Colville Reservation have also resulted in arrests in recent months and have also involved the Colville Tribe's law enforcement personnel. I understand from the Colville Tribe that its law enforcement personnel register two to three reports of float plane sightings per week and that the tribe's police department has reason to believe that up to 25 aircraft may be involved in cross-border drug smuggling activities using the lakes and waters on the Colville Reservation.

The apparent ease with which these small planes fly back and forth across the northern border is truly cause for alarm. In commenting on these recent smuggling incidents, the U.S. Attorney for the Eastern District of Washington was recently quoted by a northwest newspaper as saying that "a person that will smuggle drugs, guns, meth, Ecstasy and cash will also be the kind of person who would smuggle a special-interest alien or a terrorist." As disturbing as this prospect is, I believe that it is equally important for all of our law enforcement agencies on the northern border to have the resources available to combat these incursions, including the Colville Tribe.

Congress has in past years funded this program at the \$630,000 level and our colleagues

should know that both the Colville Tribe and the Spokane Tribe contribute significant funds of their own and secure matching funds from various sources to keep these patrols running. Given the critical importance of this program to both border security and homeland security, and given the relatively modest request, I very much hope the chairman can support this request in conference, with an eye toward inclusion in the conference report.

Mr. UDALL of Colorado. Mr. Chairman, I regret that I cannot vote for this appropriations bill.

Colorado has a special stake in the bill because it provides funds for Federal agencies that are particularly important for our State, including most of the Interior Department, the Forest Service, and the Environmental Protection Agency.

And of course the bill is important for the entire country, because it provides much of the funding necessary for the Federal Government to meet its responsibilities regarding protection of the environment and the conservation of our natural, historic, and cultural resources.

If the bill dealt adequately with those matters, I would gladly support it. Unfortunately, however, it falls so far short of the mark that I do not think it should be approved.

Responsibility for the bill's shortcomings lies with the Republican leadership and the misguided budget resolution that they forced through the House in the very early hours of this morning. Their budget plan provides \$9.4 billion less for domestic programs than the amount necessary just to maintain current service levels.

That is why the funds available for this bill are \$145 million below this year's level and about \$800 million below what would be required to maintain current services. That is why the bill includes only about 70 percent of increases mandated by law for Federal pay and for other fixed costs for the Federal agencies covered by the bill. And that is why despite maintenance backlogs of some \$12 billion in our parks, refuges and forests, funding for construction projects throughout the bill are cut by \$216 million below last year and there is no funding at all for new schools on Indian reservations.

And that is why there are similar cuts in the Clean Water Revolving Fund, wildlife grants, and the North American Wetlands program while funding for Federal land acquisitions—already reduced by more than 80 percent over the last 4 years—is cut by \$98 million.

These cuts are particularly bad for Colorado because our growing population puts increasing pressure on our open spaces and wildlife as well as the water-related infrastructure of our rural communities.

If the bill now before the House were to be enacted as it stands, the result would be dirtier water and air, reduced care for our natural landscapes and historic structures, and declining levels of services for the visitors to the national parks, wildlife refuges, and national forests in Colorado and across the country. I cannot support such results and cannot support the bill.

Of course, today's vote is not the end of the story for this legislation. Once the Senate has acted on the bill, differences between its version and the House-passed bill will have to be resolved and a final version considered. I hope that the result of that process will be a

version that deserves to be supported and enacted into law.

Mr. FORTENBERRY. Mr. Chairman, I am pleased to express my support for H.R. 5386, the fiscal year 2007 Interior-Environment appropriations bill and I urge my colleagues to vote for it.

I would like to begin by commending the distinguished gentleman from North Carolina (Mr. TAYLOR), the chairman of the Interior Appropriations Subcommittee, and the distinguished gentleman from Washington (Mr. DICKS), the ranking member of the subcommittee, for their outstanding work in bringing this bill to the Floor.

I recognize that extremely tight budgetary constraints this year made the job of the subcommittee much more difficult. Therefore, I believe the subcommittee should be commended for its diligence in creating this fiscally responsible measure.

In light of these fiscal constraints, I am very pleased that the bill includes \$1 million for a sanitary sewer crossing between Nebraska and Iowa. This new crossing is a very immediate need for the community of South Sioux City, NE. The existing crossing is more than 40 years old and 3 years ago, the pipe carrying sewage between South Sioux City to the treatment plant in Sioux City, IA, broke. For several weeks, about 1.6 million gallons of raw sewage each day was dumped into the Missouri River. The pipe was eventually replaced, but the incident highlighted the need for a second crossing. The new crossing that is proposed, to be located south of the city, would provide a more direct link to the regional treatment plant in Sioux City.

Since the original sewer pipe was installed in the early 1960s, South Sioux City's population has increased more than 60 percent. Also, the community's economic base continues to grow, which places an additional burden on the sewer system. In an effort to meet the growing needs for an improved sewer system, the city's residents have seen significant rate increases over the past several years. However, it is now clear that Federal assistance is necessary.

Again Mr. Chairman, I appreciate the subcommittee's inclusion of \$1 million for the South Sioux City sanitary sewer crossing project. I support passage of H.R. 5386 and urge my colleagues to vote for it.

Mr. HOLT. Mr. Chairman, I rise today in opposition to the Department of Interior and related agencies appropriations bill for fiscal year 2007. Today we are considering a bill that funds the majority of our Nation's environmental programs. However, the funding levels that this bill allows are inadequate to meet the needs of our country. By passing this bill today we are turning our back on programs that conserve our public lands, protect our wildlife, and protect our environment.

I am disappointed with a variety of programs that are losing funding in this appropriations bill but I want to talk specifically about the cuts to the Land and Water Conservation Fund LWCF. As many of my colleagues know, for the last 40 years, the Land and Water Conservation Fund program has helped State and local government preserve open space and develop recreational facilities. By providing Federal matching grants, LWCF has helped create a national legacy of public parks and outdoor leisure areas.

This bill would provide for LWCF a mere \$60.3 million in funding, the lowest in more

than 30 years. This funding level is more than \$80 million below last year's funding level. LWCF's State and local matching grant program that helps States acquire open space and recreational land has been completely eliminated in this bill.

My good friend and colleague, Representative JIM MCGOVERN, the gentleman from Massachusetts, and I have worked together to try to restore "State side" funding for LWCF. I was pleased that over 150 of my colleagues joined a letter that Representative MCGOVERN, Representative PETER KING and I sent to the Interior Appropriations Subcommittee to restore state side LWCF funding. Mr. MCGOVERN, Mr. KING and I all represent densely populated States that are combating overdevelopment, and programs like the matching grant program help our local communities establish the recreational and open space areas that are so vitally important to our children's health, appreciation for the environment and community development. In the past 40 years, roughly 40,000 grants to States and local governments have been funded through the LWCF State side program.

According to the National Park Service "Today, there is clear evidence that the grant program has been successful in encouraging States to take greater responsibility for the protection and development of recreation resources at every level." Now is not the time to cut funding for conservation programs that help our local communities.

Protecting open space is not an abstract environmental matter—it is a quality of life issue. I urge my colleagues to vote against this rule and the underlying bill and demand real attention to our Nation's environmental needs.

Mr. KING of Iowa. Mr. Chairman, I wish to take time to highlight a watershed-related project at Storm Lake, IA, in my district. As background, Storm Lake's depth and water quality have been deteriorating since the last dredging in the early 1960s. Storm Lake is among 156 water bodies to make the U.S. Environmental Protection Agencies list of "impaired" streams and lakes because of siltation. Removing silt and radically improving water quality will prevent massive fish kills. Storm Lake is well known for being a conducive environment to Walleye breeding. The Department of Natural Resources has come to depend on this Walleye population to assist in feeding other lakes and tributaries within the State of Iowa.

The Storm Lake community has implemented practices by both business and residents in an effort to ensure that the current dredging of Storm Lake will last for several generations to come. Finally, local agricultural land owners on or near the Storm Lake watershed have incorporated farming practices that help curb or reduce the amount of runoff into the Storm Lake Watershed. I believe this comprehensive approach to water resource management by the Storm Lake community is to be commended.

Funds will be used to dredge 700,000 cubic yards of spoil from the lake. Through decades of ground erosion and silt freely entering Storm Lake the lake levels have diminished. In order to remove the silt and prevent the continued inflow of silt, a Lake Restoration Program was needed to dredge a large portion of the lake and to develop watershed protection practices. Therefore the Iowa Department of Natural Resources believes this dredging and

watershed work plays a vital role in the water quality and restoration of the lake. Buena Vista County, the city of Storm Lake, and the city of Lakeside view the dredging project as an essential component in the overall economic development of the area. Dredging will create positive environmental effects while increasing the natural habitat for native fish and marine organisms.

Mr. Chairman, I look forward to working with Chairman TAYLOR for the inclusion of funding in the final conference report.

Mr. ETHERIDGE. Mr. Chairman, I rise today in opposition to H.R. 5386.

Rural America is hurting economically. Our families are faced with the highest fuel prices in history. And this bill cuts \$142 million from last year's funding level for essential services like environmental protection.

These cuts come from state grants that help fund rural water, sewer, and infrastructure projects. They come from state wildlife preservation grants and wetland preservation funds. This bill even cuts funding to EPA programs like the clean air diesel program; all while rolling back the mandatory pollution control standards for power plants for the first time ever.

This bill would also allow drilling off of our pristine coastlines, and it would provide for the exploration and development of drilling in the Alaska National Wildlife Refuge (ANWR), an area that is currently off limits for drilling, at a cost of \$113 million.

The priorities of this Congress are wrong for the American people. I urge my colleagues to vote against this legislation.

Mr. STARK. Mr. Chairman, I rise today in opposition to the Interior Appropriations bill.

Given their commitment to "conservative values," I would think that Republicans would be more committed to actual conservation. Instead, this bill shortchanges our environment, attacks our natural heritage, and recklessly endangers public health.

This bill slashes funding for environmental programs by \$145 million and provides about \$800 million less than is necessary to maintain current environmental protection services. Specifically, this legislation cuts Land and Water Conservation programs, which provide funding for the acquisition of land for national parks, wildlife refuges, forests and monuments, to their lowest funding levels in 30 years. At the same time, this bill cuts the Forest Legacy Program by more than \$43 million, the Fish and Wildlife Service by \$55 million and the National Park Service by \$100 million.

We have an obligation to ensure that future generations can enjoy the beauty of our national parks and public lands. With this bill, however, the "Moral Majority" has abandoned their social and ethical responsibility to protect our environment and invest in America's future.

This indefensible legislation not only harms our environment but places Americans' health at risk by cutting the Clean Water State Revolving Fund to its lowest funding level in a decade. According to the EPA, close to \$20 billion—nearly 30 times the appropriated amount—is necessary to maintain our current water quality. I am not willing to endanger the health of millions of Americans by exposing them to dirtier water.

I don't believe something as important as our natural resources should be left in the hands of Republican members of the flat-earth

society who don't even believe in global warming. There is scientific consensus that the earth is warming because of manmade greenhouse gases and the threat posed by global warming is real and immediate. Recent polls show that 85 percent of Americans believe that global warming is probably happening and 76 percent, including 63 percent of conservatives, think the Federal government is not doing enough to address the problem. Yet Republicans are so reluctant to acknowledge global warming, they won't even allow the House to consider the issue.

If Republicans want to preach conservative values, perhaps they should start with actually conserving our most precious resources. I simply cannot vote for this mockery of environmental legislation and I encourage my colleagues to join me in opposing this bill.

Mr. HAYWORTH. Mr. Chairman, the state of Arizona has a rich history, much of it left to us by Native Americans from centuries past. One way in which the great tribal traditions and cultural stories of our native predecessors are passed down is in the form of petroglyphs. These scenes, pictures and designs carved into rock formations tell the stories of the first Americans, and it is important that we give special attention to the preservation of these artifacts.

One of Arizona's largest collections of petroglyphs is housed at the Deer Valley Rock Art Center in Phoenix. Conceptualized with the intent to both preserve and educate, the center is operated and maintained by Arizona State University and the 47 acre facility is home to over 1,500 petroglyphs.

I would like to encourage the Bureau of Land Management to engage in conversations with the Deer Valley Rock Art Center in order to see where the agency might be able to provide assistance to the center. It is my hope that strengthening the relationship between the agency and the center will make it possible for Arizona's historical treasures to continue to be preserved, allowing the center to remain a valuable educational tool for generations to come.

Mr. CARTER. Mr. Chairman, in 1991, the Texas legislature authorized the establishment of the Texas Institute of Applied Environmental Research (TIAER) at Tarleton State University. Congress quickly recognized the merits of the effort and since 1992 has provided an average of \$500,000 a year and the U.S. Department of Agriculture has added \$4.5 million dollars. These dollars have been effectively leveraged, and when added to state and private funds, total funding has exceeded \$45 million. This project is an excellent example of how critical federal support can effectively trigger matching funds to help meet the needs of this country.

The mandate for the organization has been to:

Conduct applied research on environmental issues that have public policy implications

Provide a setting for environmental studies that focuses on the interface between government and the private sector

Provide national leadership on emerging environmental policy

Establish programs and partnerships with public and private institutions of higher education, governmental agencies, or private entities to develop and implement new policies, technology, strategies, relationships and sources of funding.

The organization's mission statement is: "TIAER conducts scientific research, economic inquiry, and institutional, statutory and regulatory analyses to address pressing environmental issues facing the state and nation and assists public entities in developing and implementing policies that promote environmental quality."

#### STRONG ECONOMY, HEALTHY EARTH

TIAER continues to fulfill its mission by assembling and supporting a multidisciplinary research staff. TIAER houses economists, engineers, attorneys, agricultural scientists, mathematical modelers, communication specialists, water quality scientists, graphic artists, computer scientists, and water quality monitoring specialists to address the next generation of Clean Water Act initiatives.

TIAER was among the first to recognize that emerging environmental issues in agriculture required new policy. TIAER developed the Planned Intervention Microwatershed Approach (PIMA) to address landscape-based, polluted runoff issues. PIMA uniquely links USDA voluntary programs with EPA programs in a manner that is tailored to the needs of production agriculture. PIMA protects privately-held lands from government intrusion.

TIAER operates a one-million-acre outdoor laboratory, the Bosque River watershed, which consists of cropland, ranch land and, in the upper reaches of the North Bosque, a 250,000-acre watershed that is home to one of the largest concentrations of dairy farms in the Nation. The Bosque River watershed provides TIAER with a cross-section of agricultural lands and enables TIAER to address many of the environmental issues that production agriculture will face over the next quarter-century.

#### INDUSTRY-LED SOLUTIONS (ILS)—LEADERSHIP TOWARD ENVIRONMENTAL SOLUTIONS

A major focus of TIAER's work began with the conception of "Industry-Led Solutions" (ILS) in 1999. TIAER has hosted four national workshops and two regional Gulf of Mexico workshops with leaders of animal agriculture, the row crop industry, environmental groups, and government to explore ways that agriculture can proactively address environmental initiatives that will enable agricultural producers to be good stewards of the land while maintaining the economic viability of the industry. The intent is for ILS to serve as a "think-tank" for agricultural environmental issues.

The Nation is at a strategic point in determining how agriculture can meet Clean Water Act objectives. ILS is TIAER's response to the need for agriculture to become proactively involved in both policy initiatives and developing science-based programs that will lead to sustainable agricultural practices that provide for a strong economy and a healthy Earth.

Agricultural producers and TIAER work together in a unique manner. Agricultural producers lead all ILS initiatives. TIAER provides staffing for ILS programs. The multidisciplinary staff of TIAER enables ILS to address all issues related to resolving environmental issues in agriculture. TIAER is unique in other ways:

TIAER recognizes that the U.S. economy must remain strong in order to have a healthy Earth—"Strong economy, healthy Earth."

TIAER has the capacity to move quickly to address new initiatives. The TIAER Director reports directly to the Tarleton State University President. In addition, TIAER staff work full-time, further enabling TIAER to move quickly.

The institute operates in an entrepreneurial manner. TIAER has no permanent funding. Therefore, the institute must address issues that are seen by TIAER clientele as pertinent and useful in addressing problems and issues they face.

As a proponent of ILS, TIAER brings together the distinct concerns of entrepreneurs and environmentalists to develop effective public policies and cooperative, science-based solutions.

In the past 30 years, efforts to improve the Nation's waters focused on cleaning up point source discharges—with great success. Now, however, water quality efforts will increasingly address nonpoint sources for the next increments in water quality improvements. The Clean Water Act of 1972 provided little insight into how agriculture would address polluted runoff from crop and ranch lands. It has become evident over the past decade that agricultural lands are in the crosshairs of the EPA and environmental groups. The challenge lies in developing programs that are specifically tailored to the needs of agriculture. At this fifteen-year anniversary, TIAER looks toward facilitating future successes in improving our Nation's air and water quality. That is a laudable goal, and it is made possible by congressional appropriations support that triggers valuable matching dollars. I hope my colleagues will continue to support successful efforts like this—responsible federal funding triggering additional financial support. That is a partnership that makes sense.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5386

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$867,738,000, to remain available until expended, of which \$1,250,000 is for high priority projects, to be carried out by the Youth Conservation Corps; and of which \$2,750,000 shall be available in fiscal year 2007

subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

Page 2, line 15, after the dollar amount, insert the following: “(reduced by \$1) (increased by \$1)”.

Page 28, line 2, after the first dollar amount, insert the following: “(reduced by \$5,000,000)”.

Page 46, line 8, after the dollar amount, insert the following: “(reduced by \$3,000,000)”.

Page 75, line 1, after the dollar amount, insert the following: “(reduced by \$2,000,000)”.

Page 107, line 1, after the dollar amount, insert the following: “(increased by \$5,000,000)”.

Page 107, line 21, after the dollar amount, insert the following: “(increased by \$5,000,000)”.

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

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Chairman, over the past 40 years the National Endowment for the Arts and the National Endowment for the Humanities have proven themselves time and time again to be among our country's most valuable and successful organizations.

Their reach is national, their impact profound. They are tremendously beneficial to our economy, generating \$134 billion annually in economic activity. Artistic endeavors return some \$10.5 billion to the Federal Government in income taxes every year. And the arts support nearly 5 million full-time jobs.

When our children have art education in their lives, they score higher on their SATs, have greater self-confidence, and are more focused on their studies.

I ask you today to urge stronger Federal commitment to the arts by supporting this amendment to provide modest increases to the NEA and NEH of \$5 million each.

Unless we provide an overall increase for NEA, the programs like Challenge America and the Big Read, which have been so important, will be slashed. And they will reach fewer people.

Challenge America has enhanced America's communities through direct grants for arts education, at-risk youth and cultural preservation, community arts partnerships and improved access to the arts for all Americans, with local programs in every single congressional district.

Because of the NEA, more children have music in the classroom today than ever before, and high school students are participating in poetry sessions and learning more about Shakespeare. And our brave men and women

servicing on our military bases throughout our country are entertained by popular opera performances.

NEA's Big Read program has resulted in committed partnerships among local government officials, schools, libraries and arts organizations to address the terrible national decline in literary reading.

As part of the program, a book is selected and everybody is encouraged to read it. It is that simple. The first 10 pilot programs now under way have proven to be overwhelmingly successful. The neighbors talk about “Great Gatsby,” friends are locked in heated debate about “To Kill a Mockingbird,” and coworkers are analyzing “Fahrenheit 451.”

Imagine the conversations, connections and community enrichment that will be generated if NEA expands the Big Read into 100 communities, as it currently plans.

The value of these programs should no longer have to be proved. The real question is, Will the Congress, with its patriotism and pride in America, prioritize the betterment of its culture?

In the late 1980s and 1990s, we funded the NEA at \$170 million. The NEA was last funded at this amount in 1994 and has never recovered from the awful budget cut it took.

As a result, today its invaluable programs remain seriously underfunded. The increases I propose today are modest, but without adequate funding the NEA and the NEH will be unable to continue these and other important programs.

I urge Members to vote for the Slaughter-Shays-Dicks-Leach-Price amendment and to preserve its funding in the final conference report. I thank my colleagues who have joined me today.

Mr. DICKS. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Washington.

Mr. DICKS. I want to rise in strong support of the gentlewoman's amendment. She has been a leader and a valued advocate on this issue for many, many years; and I am very proud to be associated with her on this amendment.

Mr. Chairman, I rise to urge support for this amendment offered by Mrs. SLAUGHTER and myself to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities.

The amendment would provide an additional \$10 million to be split equally between the two Endowments. The increase would be offset by a series of small cuts to several Interior Department programs.

I am gratified to note that the debate over the last few years has calmed down. The votes in favor of this annual Arts and Humanities amendment had been growing by an increasing margin. And last year, Chairman TAYLOR accepted this amendment without the need for a rollcall vote.

Although we offer this amendment each year, it is important that we again discuss the



importance of how this rather modest Federal support can have such large impact on our home districts. Most importantly, this seed money spurs private donations to the arts and humanities.

I still wish that we could restore the funding levels for the NEA and NEH back to their level 12 years ago but this amendment will get us closer. I urge your support on this important amendment.

Mr. SHAYS. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Connecticut.

Mr. SHAYS. It is my understanding that the chairman, if we can close this debate quickly, will gladly accept it.

Mr. Chairman, I rise in support of the Slaughter/Shays/Dicks/Leach/Price amendment which will increase funding for the National Endowment for the Arts and National Endowment for the Humanities.

As Dana Goia, the NEA Chairman, said "A great nation deserves great art."

How we prioritize the arts and humanities and their impact on our society and children's education says a lot about us as Americans.

Support of the arts should come from so many sources—individuals, foundations, arts consumers, and, yes, taxpayers. In a bill where we are spending \$29.5 billion on various government programs, I believe spending \$275.3 million on cultural programs is well worth the investment. It is a moderate amount of money that can have a big impact because today's economy is driven by ideas and innovation.

In fact, nationwide, there are 548,000 businesses involved in the creation or distribution of the arts and employ 2.9 million people. The fourth District of Connecticut is home to 2,841 arts-related businesses employing 14,711 people.

The Federal investment in the arts is the smallest part of arts funding. But we have a role—an important one. A stabilizing one. And one that we should continue.

I grew up in an arts family. My parents—both performing actors—met in the theater.

Listening to my father play the piano each night and hearing stories from their days on the stage gave me a profound appreciation for creative expression—an appreciation that I know so many of the constituents I represent share.

I thank the Chairman TAYLOR and Ranking Member DICKS for their continued support of the arts and humanities.

I urge my colleagues to support this amendment.

Mr. TAYLOR of North Carolina. We accept this amendment, Mr. Chairman.

Ms. SLAUGHTER. I thank the chairman very much.

Mr. FARR. Mr. Chairman, I rise in support of the Slaughter/Shays Amendment to the FY07 Interior Appropriations Bill that would add \$5 million each to the National Endowment for the Arts and the National Endowment for the Humanities.

Many of us do not recognize the role the arts play in our lives. But without the arts, our lives would be black and white. Arts add the color. Arts add the diversity and aid the understanding. Arts allow for expression and facilitate the acceptance. These experiences are truly immeasurable.

Cultures that have the ability to create, preserve and appreciate the arts are truly unique.

I know you can think of times when a certain peal of a trumpet, or glimpse of a color triggers something—a memory, an awareness, or an idea. Though art can trigger strong emotions, the value of these has not historically been measured. But they are no less important than our experiences that are quantifiable.

NEA and NEH ensure that Americans across the country can discover and share the treasure of artful expression while instilling a sense of historical and cultural heritage throughout the generations.

I urge my colleagues to recognize the benefits of preserving the arts and humanities by supporting this amendment's funding to NEA and NEH.

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the Dicks-Slaughter-Shays-Leach-Price amendment to increase National Endowment for the Arts by \$5 million and increase the National Endowment for the Humanities by \$5 million.

The dividend this Nation receives from the Endowment for the Arts and the Humanities far exceeds the investment we make with the limited Federal dollars.

We could eliminate all funding for the endowments tomorrow, and the arts and humanities would survive.

That's not the issue.

The grants NEA provides don't make or break most theater productions, studio exhibitions or symphonic performances.

What NEA does with its grants is to ensure that these performances, exhibits and productions are shared with greater audiences of Americans.

Scholarly research on the humanities will continue without the NEH, but research, writings and creative thought on what it is to be an American, like the We the People initiative, the embodiment of who and what we are, and diffusion of this understanding and insight among Americans will suffer.

Mr. Chairman, there is too much that divides us as a Nation.

We need institutions like the NEA and the NEH, that find common ground through performances and pamphlets that inspire us to look past the parochial and appreciate greatness.

Support the Dicks-Slaughter-Shays-Leach-Price amendment.

Mrs. MALONEY. Mr. Chairman, as a proud representative of New York City, an important center of the creative industries in our Nation, I rise in enthusiastic support of the Slaughter-Shays-Dicks-Leach-Price amendment.

This amendment will provide a very small, but critical increase in funding for the National Endowment for the Arts and the National Endowment for the Humanities.

Earlier this week, I was honored to be joined by the gentlewoman from New York and the gentleman from Connecticut—sponsors of this amendment and co-chairs of the Arts Caucus—in passing legislation recognizing the American Ballet Theater for their 65 years of service as "America's National Ballet Theater."

The ABT is just one of well over 7,000 arts-related businesses in my district, employing nearly 120,000 employees—the highest number of arts-related jobs in the country.

And the NEA is key in bolstering the economic and creative force of these organizations.

Mr. Chairman, for the 120,000 arts-related employees that I represent and the countless

others who enjoy and benefit from their creativity and hard work, I urge a yes vote on the Slaughter-Shays-Dicks-Leach-Price Amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I rise as a cosponsor of the Slaughter amendment providing increased funding for the National Endowment for the Humanities and the National Endowment for the Arts.

For 40 years, the NEH has helped advance the study and understanding of our Nation's history, culture and heritage. The NEH provides seed money for high quality projects and programs that reach millions of Americans each year.

As Co-Chair of the Congressional Humanities Caucus, I am pleased to support this amendment, which would increase funding for NEH by \$5 million and for NEA by a like amount.

With a modest appropriation, the Humanities Endowment provides seed money for projects including continuing education for K-12 teachers and college and university faculty, television documentaries, educational museum exhibitions, and preservation of historically important books and newspapers.

The State humanities councils, in partnership with the NEH, reach millions of Americans each year in all 50 states with such activities as teacher institutes, literacy programs, and programs on local history and culture.

Today, the humanities play an increasingly important role in preparing our students and the public to be contributing and productive American citizens who also have a global awareness.

This modest funding increase will aid NEH's efforts to conserve and nurture America's heritage, bring the humanities to communities across the country, and educate the next generation of Americans.

I encourage my colleagues to support this amendment.

Mrs. LOWEY. Mr. Chairman, I rise in support of this amendment and strongly urge its adoption.

Our contributions to the arts and humanities are the standard by which our history as a society will be measured. A strong public commitment to the arts and humanities, along with a dedication to freedom, is the hallmark of great civilizations. History has shown that religious and political freedoms go hand in hand with greater artistic and literary activity, and that the societies that flourish and have a lasting influence on humanity are those that encourage free expression in all of its forms. This is a lesson that resonates with people of every age, background, and belief, and one that we can guarantee our children learn.

By sharing ideas and images from a diverse range of hack grounds and through many different media, the arts and humanities help to create a more informed citizenry. We are better prepared to meet the responsibilities of democracy; to ask ourselves the hard questions; to demand of our leaders the full answers; and to judge fairly the actual and potential endeavors of our country.

Our support for the arts and humanities also has a profound impact on our economy. In my Congressional District, there are close to 2,000 arts-related businesses, providing more than 9,000 jobs. This creates a substantial economic impact. Nationally, the arts industry generates \$134 billion in economic activity, sustaining over 4 million jobs.

Even more significant is the return on the investment for the American taxpayer. While the Federal Government spends just over \$250 million on the NEA and NEH annually, it collects over \$10 billion in tax revenue related to the arts industry. Federal funding for the NEA and NEH is crucial to the arts community, helping leverage more state, local, and private funds. Clearly, the numbers show that investment in the arts is important not only to our national identity, but also to our national economy.

Mr. Chairman, we must act decisively to commit ourselves to our national heritage and culture, by voting to increase funding for the NEA and NEH. I urge my colleagues to support creativity and reflection, to support our economy, and to support the continued growth and expression of democracy in its fullest form.

Mr. HOLT. Mr. Chairman, I rise today in strong support of the Slaughter-Shays-Dicks-Leach-Price amendment to provide much needed funds for the National Endowment for the Arts and the National Endowment for the Humanities.

As a scientist, I am often advocating for investments in math, science, and technology research, development, and education. These are worthwhile expenditures that contribute to innovation and economic growth, but our nation requires a parallel investment in the arts to retain the cultural and creative growth that ties our diverse society together.

This modest increase in funding will build programs that use the strength of the arts and our Nation's cultural life to enhance communities in every State and every county around America. The additional funds provided through this amendment would support the very successful Challenge America program, which brings the arts to rural communities and inner-city neighborhoods whose limited resources don't always allow for community arts programs.

In 2005, the Challenge America program provided grants to towns and cities in 99 percent of Congressional districts for jazz and blues festivals, showcases for regional musicians and artists, and public-private partnerships that bring the arts into local schools. Dozens of studies have demonstrated the significant positive effect of arts education on students' academic performance, self esteem, and behavior, and the Challenge America grants are an excellent mechanism to bring the arts to students who can greatly benefit from that exposure.

Similarly, the NEH serves to advance the nation's scholarly and cultural life. The additional funding contained in this amendment would enable NEH to improve the quality of humanities education to America's school children and college students, offer lifelong learning opportunities through a range of public programs, and support new projects that encourage Americans to discover their storied and inspiring national heritage.

It is clear that increasing funding for the arts and humanities are among the best investments that we as a society can make. They help our children learn. They give the elderly sustenance. They power economic development, even in regions that are down and out.

Will the projects that would be sponsored by this increase in funding help defend our country? Probably not, but they will make our country more worth defending. I urge my colleagues to support this amendment.

Ms. LEE. Mr. Chairman, I rise in strong support of the bipartisan Arts' Caucus amendment that would fully fund the National Endowment for the Arts, NEA, and the National Endowment for the Humanities, NEH.

I would like to especially thank co-chairs of the Arts Caucus and the authors of the amendment—the gentlewoman from New York (Ms. SLAUGHTER) and the gentleman from Connecticut (Mr. SHAYS)—for their leadership on this issue.

In my district, the 9th congressional district of California, more than 10,000 people are employed in arts related jobs. They play an integral role in building and sustaining our local economy.

The AXIS Dance Company, an NEA grants recipient in Oakland California, is just one example of an organization in my community that relies on these funds to sustain their programs.

The AXIS Company includes dancers with and without disabilities. Thanks to an NEA Access to Artistic Excellence Grant, the company launched their first-ever Summer Intensive session last year.

As Judith Smith, the companies' artistic director, explains: "By presenting dance that includes dancers with and without disabilities we show youth what is possible when people with differences collaborate. . . . Ultimately it helps them see that they can do and accomplish whatever they set their mind to. This is the beauty of art."

The AXIS Company is but one example; nationally there are 548,000 arts-related businesses, but it is impossible to count how many lives are impacted by their services. The facts speak for themselves—if you cut arts funding, you cut jobs and opportunities for all.

Mr. Chairman, I strongly urge my colleagues to vote "yes" on the Arts' Caucus bipartisan amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The amendment was agreed to.

Ms. MILLENDER-McDONALD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the chairman. I would like to thank the gentleman from North Carolina in this colloquy. And, Mr. Chairman, as a resident of Southern California, I have witnessed the impact diesel emissions has had on our air quality. Our constituents are more likely to contract cancer, asthma and other respiratory problems. The emissions from older heavy-duty trucks, in particular, are among the highest contributors of ground level ozone, volatile organic compounds, and particulate pollution in the country. These trucks are the highest polluters among on-road transportation emissions sources.

As a primary player in the movement of goods, diesel engines play an important role in keeping our economy strong. While the administration has taken action with the diesel fuel engine regulations to reduce emissions, the EPA estimates that there are 11 million existing engines that still need to be fixed. This is why providing the

necessary resources for the important diesel initiatives under the Diesel Emissions Reduction Act should be central to any current national transportation plan.

We have worked extremely hard to ensure that Americans may have cleaner air where they work and live. I know, despite the bipartisan support we received for DERA funding, finding the funds for this program was a tough process. Ultimately, while cuts had to be made to DERA's appropriation, I am very proud to have worked with the subcommittee leadership to get the funds that we did receive. However, the fight is not over.

While the \$26 million will go far in the mission for reducing diesel emission, a great deal more is needed. Despite the fact that today's diesel vehicles are 99 percent cleaner than their 1970 counterparts, each older truck contributes an average of 1 ton of pollutants into the air per year. We must make certain that every effort will be made during conference to increase funding above the \$26 million level, or at least to consider keeping it where it is.

So, Mr. Chairman, the DERA program is very important to my district. These funds play a critical role in fully integrating today's technological advances with consumer demands and environmental needs in order to provide cleaner air where our constituents live and work. And I would like just to have the chairman respond that we hope that in the conference, at least the money that has been placed there by the administration will be maintained with perhaps increases if we can.

Mr. TAYLOR of North Carolina. Mr. Chairman, the gentlewoman has made a huge contribution on this matter to the committee. We did increase the amount up 12 percent from where we were. But I agree with the gentlewoman, if we can do more in conference, we will try to do it because the great need is there.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, \$32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$867,738,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

#### WILDLAND FIRE MANAGEMENT

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$769,253,000, to remain available until expended, of which not to exceed \$7,338,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which

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

#### CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$11,476,000, to remain available until expended.

#### LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579,

including administrative expenses and acquisition of lands or waters, or interests therein, \$3,067,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

#### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$111,408,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

#### FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

##### (REVOLVING FUND, SPECIAL ACCOUNT)

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

#### RANGE IMPROVEMENTS

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

#### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not

appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

#### MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

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

Section 28 of title 30, United States Code, is amended: (1) in section 28 by striking the phrase "shall commence at 12 o'clock meridian on the 1st day of September" and inserting "shall commence at 12:00 ante meridian on the 1st day of September"; (2) in section 28f(a), by striking the phrase "for years 2004 through 2008"; and (3) in section 28g, by striking the phrase "and before September 30, 2008."

Refunds or rebates received on an on-going basis from an information technology (IT) vendor as part of the Bureau of Land Management (BLM) consolidated IT procurements for the Department of the Interior and other Federal Government departments hereafter may be deposited into the Management of Lands and Resources Fund to be used to offset BLM's costs incurred in providing this service.

#### UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities,

\$1,016,669,000, to remain available until September 30, 2008, except as otherwise provided herein: *Provided*, That \$2,500,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: *Provided further*, That not to exceed \$17,759,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed \$12,581,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2006: *Provided further*, That of the amount available for law enforcement, up to \$400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

#### CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$39,756,000, to remain available until expended.

#### LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$19,751,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

#### LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$15,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, federally-recognized Indian tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish or supplement existing landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, candidate, or other at-risk species on private lands.

#### PRIVATE STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of

1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$7,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for the Private Stewardship Grants Program established by the Secretary to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, candidate, or other at-risk species.

#### COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, \$80,507,000 to remain available until expended, of which \$20,161,000 is to be derived from the Cooperative Endangered Species Conservation Fund and \$60,346,000 is to be derived from the Land and Water Conservation Fund.

#### NATIONAL WILDLIFE REFUGE FUND

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

#### NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, as amended, \$36,646,000, to remain available until expended.

#### NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106-247 (16 U.S.C. 6101-6109), \$4,000,000, to remain available until expended.

#### MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), and the Marine Turtle Conservation Act of 2004 (Public Law 108-266; 16 U.S.C. 6601), \$6,057,000, to remain available until expended.

#### STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally-recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$50,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That of the amount provided herein, \$5,000,000 is for a competitive grant program for Indian tribes, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting said \$5,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-

fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant if its comprehensive wildlife conservation plan is disapproved and such funds that would have been distributed to such State, territory, or other jurisdiction shall be distributed equitably to States, territories, and other jurisdictions with approved plans: *Provided further*, That any amount apportioned in 2007 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2008, shall be reapportioned, together with funds appropriated in 2009, in the manner provided herein: *Provided further*, That balances from amounts previously appropriated under the heading "State Wildlife Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

#### AMENDMENT OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUTNAM:

Page 16, line 13, after the dollar amount insert "(increased by \$500,000)".

Page 107, line 21, after the dollar amount insert "(reduced by \$500,000)".

Mr. PUTNAM. Mr. Chairman, I rise today to submit an amendment to assist States dealing with the increasing problem of alligator attacks.

As you may know, just in the past week there have been a number of attacks resulting in three human fatalities, just in the State of Florida. Florida is not the only State that has to deal with this problem. Citizens across Alabama, Georgia, Louisiana, South Carolina, and Texas have all been victims of alligator attacks, often deadly, over the years.

The number of alligator complaints received by the Florida Fish and Wildlife Commission continues to grow. Last year there were over 18,000 complaints alone, which resulted in the removal of over 7,000 alligators.

Unfortunately, with three deaths in 1 week, current efforts are insufficient to prevent these attacks. I rise today to offer an amendment to add \$500,000 to the monies available to the States to hire trappers and expand alligator trapping activities.

Our support for nuisance alligator programs helps provide the critical resources States need to respond and remove these alligators, as well as educate the public on the prevention of these attacks.

Across the gulf coast and throughout the South, these attacks are increasing in frequency and severity and this amendment will help the States obtain the resources they need to accelerate their trapping program as we continue to face this challenge of an urban interface with the wildlife that are listed as threatened only because of their resemblance to the American crocodile.

□ 1345

There is no population concern whatsoever with the alligator.

And I thank my colleagues for their support and urge adoption of the amendment.

I see that the distinguished chairman of this subcommittee has risen, and I would be happy to yield to him for any comments.

Mr. TAYLOR of North Carolina. Mr. Chairman, I appreciate what the gentleman is trying to do, but I would ask him to withdraw his amendment.

The money that you want is in control of the State, and if you could withdraw, we will sit down between now and the conference and try to work with you.

Mr. PUTNAM. Mr. Chairman, reclaiming my time, certainly I recognize the difficult position that Mr. DICKS and Mr. TAYLOR are in in crafting an appropriate spending bill for this area. I appreciate the gentleman's expression of concern about this problem. Obviously being from the South, he understands the issues we are dealing with, and I hope that we will be able to work something out in conference toward that end.

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

Mr. PUTNAM. I would be happy to yield to my friend from Washington.

Mr. DICKS. Mr. Chairman, even from Washington State we understand the severity of this problem because we have seen it on national television, but I want him to know we are very willing to work with the gentleman on this issue before the conference and during the conference.

Mr. PUTNAM. We appreciate that. Obviously, the Wildlife Grant Fund is something that is a formula-driven process and was an imperfect vehicle, but we certainly wanted to take this opportunity to make the important case for doing everything we can to ameliorate what has become a deadly situation this alligator mating season.

Mr. WELDON of Florida. Mr. Chairman, I rise to express my concerns about both the underlying Peterson amendment that was adopted in the committee and the amendment offered by my colleague from Florida. I voted against the Peterson amendment when it was offered in committee because it fails to include the 100-mile buffer along Florida's coast that

I believe is important to ensuring that we can adequately protect Florida's shoreline. I am not opposed to the drilling for natural gas, provided we have a 100-mile buffer to protect Florida's coast.

I want it to be very clear what I support and that is: a policy that allows for natural gas wells 100 miles or more off the coast of Florida.

The amendment before us, offered by my Florida colleague, however would ban natural gas wells not only along the Florida coast, but also along southern, central and northern California; Washington; Oregon; and the North Atlantic. It would not permit natural gas wells located 100 miles or more off the coast of Florida, and for that reason I will not support it.

There is some confusion that must be cleared up. No one here today is proposing that we allow natural gas wells within 3 miles of the Florida coast. In the event that the underlying bill before us is approved today the Presidential moratorium remains in place protecting Florida, and President Bush has pledged to ensure that Florida is permitted to maintain at least a 100-mile protective buffer. Moreover should the Presidential moratorium be removed, the Congress must enact legislation directing the Department of Interior on where to permit Outer Continental Shelf (OCS) leases. This is not a one step process.

Some have suggested that allowing natural gas wells will do little to address the energy costs in the United States. This claim simply is not based on sound economics. As many of my colleagues know, over the past decade there has been a dramatic increase in the use of natural gas to produce electricity. Switching to natural gas for electric power generation has been a very quick and cost effective way to reduce greenhouse gas emissions. According to a 2005 report from the Florida Public Service Commission, in 2003, 26 percent of Florida's electric power was generated using natural gas. By 2013, just seven years from now, the FPSC projects that over 50 percent of Florida's electric power will be generated using natural gas. Clearly, Florida is increasingly relying on natural gas to meet our everyday energy needs and ensuring a longer-term affordable supply of natural gas will help keep Florida consumer's power bills affordable.

When you consider this growing reliance on clean burning natural gas along with price increases we have seen, it is clear that Florida consumers will continue to pay higher costs for electricity if we don't address natural gas supply concerns. According to the U.S. Department of Energy, the costs of natural gas for electric power generation increased 300 percent between 2000 and 2005.

I look forward to working with my colleagues to support ensure that Florida has an adequate protective buffer while looking to meet our long-term clean energy needs.

Mr. PUTNAM. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 54

passenger motor vehicles, of which 54 are for replacement only (including 15 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That, notwithstanding any other provision of law, the Service may use up to \$2,000,000 from funds provided for contracts for employment-related legal services: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That, notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

Mr. EHLERS. Mr. Chairman, I move to strike the last word.

I rise to engage the distinguished chairman of the subcommittee in a colloquy, along with Mr. KIRK from Illinois.

Chairman TAYLOR, let me first thank you and the committee for the funding you provided to the Science and Technology Account of the EPA. This important funding will be used to address a wide range of environmental and health concerns, including both long-term basic research and near-term applied research in order to discover knowledge and develop technologies necessary to protect our environmental resources and prevent future harm. I recognize that the apparently dramatic increases are primarily due to transfers of funds from other accounts, and for that reason I would strongly discourage any Member from offering an amendment to reduce this account. Nevertheless, the minor increases in basic science research funding are much appreciated, and I wanted to convey my appreciation.

But I rise today to discuss an issue of pressing national importance: the cleanup and protection of the Great Lakes. The Great Lakes comprise the largest source of freshwater in the world, 20 percent of the Earth's total and 95 percent of surface freshwater in the U.S., and they provide drinking water, transportation, and recreation to millions of people in the U.S. and Canada. However, the Great Lakes are

plagued by contaminants from years of industrial pollution that have settled into the sediments of tributaries to the lakes. These pollutants degrade the health of both humans and wildlife and disrupt the beneficial uses of those waters. The longer we take to clean up these areas, the greater likelihood that the sediment will be transported into the open waters of the Great Lakes where cleanup is virtually impossible.

The Great Lakes Legacy Act, which was enacted in 2002 in response to slow cleanup progress, authorizes the EPA to clean up contaminated sediments in the Areas of Concern in the Great Lakes. This Legacy Act has an added advantage in that 35 percent of the funding comes from the local communities and the States. The Legacy Act program was funded at about \$29 million last year, and the authorization is \$50 million. The bill your committee drafted provides a small increase to \$29.6 million. Frankly, I considered offering an amendment to boost this total to that recommended by the President, to near full funding of \$49 million. I am also disappointed by the \$500,000 cut to the Great Lakes National Program Office, which operates the Legacy Act program, directs other EPA cleanup and protection actions in the lakes, and helps to coordinate the activities of other Federal agencies within the region. But I decided against offering an amendment because I recognize that limited resources are available to you in this bill because of your small allocation.

I can assure you that I am not the only one concerned about these funding levels. Last year over 1,500 Federal, State, and local government officials, scientists, engineers, and other stakeholders participated in the President's groundbreaking Great Lakes Regional Collaboration. This diverse group of experts and advocates developed a strategic action plan for restoring the Great Lakes. Among the recommendations was \$150 million in annual funding for the Legacy Act. This funding level is justified because of the success of the six projects that are completed or underway or in the pipeline and nine other potential projects being considered by the EPA. In fact, Federal and State officials involved in cleaning up contaminated sediment have recently estimated that 75 million cubic yards of sediment need to be remediated at a total cost range of \$1.6 billion to \$4.4 billion. The comparatively small amounts in the Legacy Act will help leverage State, local, and private dollars and get some of these ready-to-go projects off the ground.

Chairman TAYLOR, I urge you to work with me and my Great Lakes colleagues on increasing funding for this important, oversubscribed program, and help to jump-start restoration efforts for this national treasure. We simply cannot wait.

I yield now to my friend from Illinois, a stalwart champion of Great Lakes restoration and my Cochair of the Great Lakes Task Force, Mr. KIRK.

Mr. KIRK. Mr. Chairman, I thank my friend for yielding and strongly share his sentiments regarding the importance of funding the Great Lakes and especially the Great Lakes Legacy Act.

As the gentleman from Michigan noted, the Great Lakes are a national treasure. Our history is filled with supporting these national treasures, and in 2000 Congress and the administration rose to the occasion, providing a restoration plan for the Everglades that yielded impressive results.

Today the country is beginning to recognize a new effort. The Great Lakes Regional Collaboration brought together local, State, and national officials and interests, including the administration, to work on a coherent plan, a thorough plan for Great Lakes restoration and protection. Last December all Great Lakes Collaboration members met and endorsed this process. But we must go further. We must waste no time in moving forward with tangible changes in practice and funding. The Great Lakes face a myriad of threats, from invasive species to mercury contamination to the effects of long-term pollutants which are awaiting cleanup. These same Great Lakes are also an invaluable resource for drinking water, recreation, and transportation purposes. And to protect them we must increase coordination and funding of Great Lakes programs.

The Great Lakes Legacy Act provides an essential function: addressing sediment contamination in areas of concern in the Great Lakes. My district contains Waukegan Harbor, a contaminated area that, if properly cleaned, would increase the economic value of lakefront property by over \$800 million.

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

The Great Lakes Legacy Act funding cleans one of our national treasures while simultaneously adding value to the areas it addresses.

I strongly urge the chairman to lend his support to this program as we move through the committee process. More funding for the Great Lakes Legacy Act is extremely important in the overall effort to clean up the Great Lakes and to restore the economy of our region.

Mr. Chairman, I yield to the chairman of the subcommittee.

Mr. TAYLOR of North Carolina. Mr. Chairman, I appreciate the comments of the gentleman from Michigan and the gentleman from Illinois. I recognize the importance of the Great Lakes as a natural resource and an issue of national importance. I commend those involved in the Regional Collaboration for their work, which will provide research managers and policymakers with a helpful guide in setting priorities and implementing critical resource and protection programs.

The committee allocation did not allow us to provide a sizable increase in the funding for the Great Lakes Legacy Act. Indeed, many programs in the bill are funded substantially below the 2006

level while the Great Lakes program received an increase, albeit a small one.

I would be happy to work with my colleagues to see if we might increase funding for this program should additional funds be available when we go to conference with the Senate.

Mr. EHLERS. Mr. Chairman, will the gentleman yield?

Mr. KIRK. I yield to the gentleman from Michigan.

Mr. EHLERS. Mr. Chairman, I thank the chairman for his assurance. I thank him for his consideration.

And I also wish to thank the Chairman of the Committee of the Whole House for being generous with his time and also for his outstanding work over the years in working for the Great Lakes.

Mr. KIRK. Mr. Chairman, I thank these two chairmen.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, \$1,754,317,000, of which \$9,829,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which \$86,164,000, to remain available until September 30, 2008, is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which \$1,909,000 is for the Youth Conservation Corps for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject to the review and concurrence of the Washington headquarters office: *Provided further*, That funds in this account may be spent without regard to the "no net loss" of law enforcement personnel policy.

#### AMENDMENT OFFERED BY MR. WEINER

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

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 20, line 3, after the first dollar amount, insert the following: "(increased by \$1,000,000)".

Page 46, line 8, after the dollar amount, insert the following: "(reduced by \$1,000,000)".

Mr. WEINER. Mr. Chairman, on September 11, like so many institutions of the Federal Government, everything came to a halt, including all the facilities of the national parks. Almost immediately thereafter, we began a process to reopen them. We reopened them literally but we also reopened them

symbolically to say, in the words of Secretary Norton from September 12 of that year, "Even though atrocities such as those of September 11 can affect us, they cannot close us down." She said that while standing above Hoover Dam on September 12, 2001.

Today, after a period of a couple of months after September 11, all of the facilities of the national parks were reopened. Today these many years later, all of them are reopened except one, perhaps the most symbolic national park that there is, the Statue of Liberty. The Statue of Liberty is still not reopened. Why? Well, it is not for lack of money. We in Congress have allocated more than \$19 million to do security upgrades, to do improvements to the facility. In fact, there has been over \$6 million that was raised privately. We all remember the Statue of Liberty Foundation, major companies lined up, people sent in their coffee tins. Boys and girls from around the country collected pennies and dimes and nickles to help reopen the Statue of Liberty. So it is not for lack of funding.

Frankly, the reason that the Statue of Liberty is still closed is the lack of imagination and will on the part of the Park Service. Over the course of years, we in this House have said in many different ways either open it or tell us why you cannot. And each time they said things like, well, we are still thinking about it, we are pondering it, we are trying to figure it out.

The final analysis is quite clear. They do not want to reopen it. They are concerned they cannot possibly make it safe. Some of us have suggested why not have no bags permitted? Why not say only a limited number of people can go in? Why not suggest that you have reservations in advance? Why not come to us and say maybe we need additional security? No. In fact, what they said is you can go to the part that was built here in the United States, but the iconic Statue of Liberty that all of us remember climbing up to when we were children is closed. It is the only national park that is.

It is a shame. In fact, in the words of the Daily News, it is worse than a shame. It says we need to break the ties that bind Miss Liberty and that continue to make her a laughingstock for al Qaeda. That might be strong, but I want to tell you something. It is hard to explain any other way how the one park that was closed after September 11 is still closed. Let us have it reopen. And if the Park Service says we cannot do it, we figured out a way to open the Capitol. We figured out a way to open the Washington Monument. We figured out a way to open Hoover Dam. We figured out a way to open up all of the other national parks. This one, we simply cannot figure it out.

Have them come to us. Have them come to Mr. DICKS and Mr. TAYLOR, who have shown great creativity in finding ways to help the Park Service

do their job and let us reopen Statue of Liberty to her crown. Doing anything else is, frankly, to cower in the face of this challenge. This is not that difficult a challenge, but I can tell you this: It is certainly a symbolic one. To say that we simply cannot allow future generations of children to climb up through the statue, to peer out and to say, you know what, we are completely back on our feet after September 11, to make this of all the symbols the one that we refuse to open is simply a shame.

What my amendment does is simple. It does not say the words "Statue of Liberty" anywhere. It takes \$1 million and moves it from a personnel account to the equipment account to help them provide security. But this is a chance and it is a chance for all of us in the House to go on record and say reopen Statue of Liberty. If you need to come back, if you need to say to us there are considerations that we need to take into account, we have never been shy in this House in a bipartisan fashion of accommodating the Park Service and every other agency of government.

□ 1400

If they have a legitimate concern, we are Americans, we can solve those concerns. This might be a difficult challenge to make because they are narrow. It is an old structure, it is a historic structure, it is a symbolic structure, it is an iconic structure.

To simply say, well, you can go visit the island and pat Lady Liberty's toes is not good enough. This is an opportunity for us to say reopen the Statue of Liberty, and all of those of you who go on record and say "yes" to this amendment, we will send a clear message not only to the Park Service that we mean business, but we will send a clear message to terrorists who think we are going to start closing down our icons simply because they attack us.

We were bowed on September 11. We lost over 2,800 of my neighbors. But I can tell you this: the closest national park to Ground Zero still being closed is an insult to their memory, and this is an opportunity for us to do something.

I want to thank in advance the gentleman from Washington and the chairman of the subcommittee for their indulgence. This is a chance for us to do the right thing and also do the symbolic thing.

Mrs. MALONEY. Mr. Chairman, I rise in support of the amendment.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can understand the gentleman's concern. The Statue of Liberty was reopened to the public on August 3, 2004, but the crown was not opened at that time, and let me tell you why the crown was not opened to the public: safety and security.

The statue has long been recognized by the intelligence community as one of the highest profile targets for terrorists. After the events of 9/11, the Department of the Interior made the decision to close the statue to assess its vulnerability to attack.

The Interior Department asked the Defense Threat Reduction Agency and other recognized experts to conduct bomb blast and other security analyses on the statue. Based on the results, the Park Service spent nearly \$20 million on numerous safety and security improvements.

They did open the statue, except for the crown. The decision was made that the visitors could not be properly protected on the narrow spiral staircase in the crown, the thinnest part of the statue, and the Department of the Interior made the decision not to open that section. So I would urge defeat of this amendment.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from New York.

Mr. WEINER. Mr. Chairman, I am concerned that the narrowness of the stairwell is such an inhibitor. We have some awful narrow passageways in this building. We have reopened the White House with very intricate security concerns.

Certainly, with all of us putting our minds together, with the resources that we have, certainly we can figure out a way. For example, we could say you can have no bags. We will have a second security check. We will limit it only to a few dozen people a day. The symbolism is so important, I can't imagine we are technically unable to secure this site.

Mr. TAYLOR of North Carolina. I am not qualified to speak on why the intelligence service says this, but I would yield to a gentleman to make a comment about who is qualified to make statements on that.

Mr. PEARCE. I thank the gentleman for yielding and I appreciate the concerns of the gentleman from New York. As the National Parks Subcommittee chairman, I would say that this issue has not been brought to us and that we would gladly hold a hearing on it.

On my own last year, Mr. Chairman, last year in October I did go to the Statue of Liberty to ask similar questions. The island is open. The statue is open to the base.

Originally, the stairs all the way to the crown were installed for maintenance. They are extremely narrow, and the problem with evacuations, I forget the exact time, but the time to evacuate the statue is very high.

Again, the gentleman talks about securing the statue, and that is a plus and a minus question. The idea of securing the World Trade Center would have 5 years ago or 6 years ago been just, yes, it is possible. I don't think we can anticipate all of the factors that could come in.

Like I said, I would be more than happy to look into the issue. I would be

happy to have public hearings, but I would like that request submitted to the Parks Subcommittee.

I would oppose the gentleman's amendment, with all due respect. I understand what he is trying to do, and I understand the frustration. I am not always on the side of the park's management team, but in this case I have been; and I have taken a look at it myself and see the problems they are wrestling with. No amount of money can change the size and scope of the stairways. It is limited by the inside diameter of the statue itself.

I recognize what your concern is. Our attempt in going to see so many parks is to see how we can increase visitation, how we can increase the enjoyment. So you and I are approaching this from a very similar fashion. But, myself, I struggle.

The Park Service did have a significant study, a multiple-page study; I have copies of that and would be happy to share them with the Members of the Chamber. But, Mr. Chairman, I would oppose the amendment.

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from Washington.

Mr. DICKS. Are you suggesting a public hearing?

Mr. PEARCE. Yes, I would be happy to do public hearings. Since I have been chairman, just almost a year, I suspect we have done oversights or hearings on business plans and the numbers of visitors coming into parks. We have done two field hearings. We have done hearings on access for the handicapped.

So we have done multiple, multiple oversight on subjects such as this. I would be happy to work with the gentleman.

Mrs. MALONEY. Mr. Chairman, I rise in support of my colleague from New York's amendment that would re-open all of the Statute of Liberty, the symbol of American freedom. When our Nation was attacked on September 11, 2001, a number of our national landmarks were temporarily closed to the public for security reasons. It is now four and a half years since that terrible day, and only one of these national treasures remains closed—Lady Liberty. Visitors to Liberty Island, which remains open while most of the statue is closed, have been down as much as 50 percent from pre-9/11 levels, and that hurts the economy of New York City.

Mr. Chairman, when terrorists attacked our country, they hoped that they could restrict our freedom and our way of life. They miscalculated the tremendous freedom-loving spirit of New Yorkers and Americans, who have showed their resilience. But it would be a tremendous additional display of our Nation's ever-lasting freedom to re-open the Statute of Liberty and to welcome visitors from around the world back to the statute that has long been a signal of hope. The Park Service shouldn't have to resort to essentially holding a bake sale for private donations to try to get it re-opened. Our Nation's beacon of liberty deserves better than that.

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

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

Mr. WEINER. Mr. Chairman, I demand a recorded vote.

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

Mr. MCHENRY. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the chairman.

Chairman Taylor, thank you for your leadership for North Carolina. We are so grateful in our State for your steadfast work and dedication to the cause of decreasing the size and scope of government. I just want to commend you for that work.

I would like to discuss an important issue in my district, as well as for western North Carolina.

In recent months, one of the most pressing matters that the Unifour Air Quality Committee, which is comprised of representatives from various organizations in four counties in western North Carolina within my district, has been dealing with is the accurate monitoring and control of fine particulate matter emissions, better known as PM 2.5, specifically in Catawba County.

As you know, PM 2.5 monitor readings at the Water Tower monitoring site, maintained in Catawba County by the North Carolina Division of Air Quality, recently indicated an annual reading slightly above 15 micrograms per cubic meter for PM 2.5, although the measurement was within the equipment's margin of error. Thus, Catawba County has been placed in non-attainment status for PM 2.5.

Mr. TAYLOR of North Carolina. I am aware of this situation. I understand that the Environmental Protection Agency should soon be releasing the results of the March audit for the Catawba area.

Mr. MCHENRY. I thank the chairman. It is also my understanding of the EPA audit. We hope to have the results of the audit as soon as possible so the Unifour Air Quality Committee can best determine what proactive steps need to be taken to control and monitor PM 2.5 emissions effectively. We also hope that the EPA has given careful consideration in its audits to the maps and other data the Unifour Air Quality Committee provided to the EPA in an effort to place the PM 2.5 monitoring data in context.

Mr. TAYLOR of North Carolina. I thank you, Congressman MCHENRY. I appreciate your leadership on this important issue and assure you that I will look forward to working with you on this issue. The committee will be in contact with EPA on the monitoring of PM 2.5 emissions in the Catawba area of North Carolina. Thank you for your effort.

Mr. MCHENRY. Thank you, Mr. Chairman.

Mr. PEARCE. Mr. Chairman, I move to strike the last words for purposes of

entering into a colloquy with the chairman of the Interior Appropriations Subcommittee.

Mr. Chairman, as chairman of the House Resources Subcommittee on National Parks, I am deeply concerned with the fate of our national parks along our southern border, Organ Pipe Cactus National Monument, Coronado National Monument, Big Bend National Park, Amistad National Recreation Area, Padre Island, National Seashore and others. Both staff and I have seen firsthand the wanton destruction and detrimental effects that illegal immigration and drug-running has had on some of our most fragile desert environments in our country.

It has become so bad at Organ Pipe Cactus National Monument that up to one-third of the park is now closed to the public because the area is occupied by armed drug traffickers, and park employees cannot work throughout the park without an armed escort. We are not talking about potential impacts or future problems. These damages are occurring as we speak.

I believe the National Park Service has blatantly ignored the congressional mandate to conserve these resources, including a number of listed species, unimpaired for the enjoyment of future generations.

While the U.S. Border Patrol is doing what it can to slow the flow of illegal activities through our parks, resource protection is not their priority. The National Park Service must be given the manpower to protect the visiting public and the national resources.

Mr. TAYLOR of North Carolina. I, too, am aware of this increasingly difficult situation, not just in the national parks, but along other public lands funded in this bill. They comprise 43 percent of the border, the southern border. We need to work together. I would like to travel to that area. Perhaps we could hold a hearing in that area to draw the attention necessary. We need to work with our friend and former colleague, Rob Portman, once he is confirmed as the new director of OMB to ensure that adequate funds are provided to protect these lands.

We have very little money for park rangers for 43 percent of the border. However, I believe that this is primarily the responsibility of Homeland Security. This subcommittee has expressed its concern to the administration over the past 4 years about additional Homeland Security duties imposed on agencies like the Park Service without providing additional funds. We also find in many other tribal lands that we are having some of the same problems.

Mr. PEARCE. I would like to thank the chairman for his recognition of a serious problem and take seriously his commitment to meet with both Director Portman and incoming OMB Director Portman to discuss what we can do. I think if we address this serious growing problem, then your willingness to work with us will cause the situation



to become much better for the public to be better served and for the Park Service to be better served. I thank the chairman for his indulgence.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$84,775,000.

#### NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, \$47,161,000: *Provided*, That none of the funds in this Act for the Rivers, Trails and Conservation Assistance program may be used for cash agreements, or for cooperative agreements that are inconsistent with the program's final strategic plan.

#### HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$58,658,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2008, of which \$15,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts and of which \$3,000,000 shall be for Preserve America grants to States, Tribes, and local communities for projects that preserve important historic resources through the promotion of heritage tourism: *Provided further*, That any individual Save America's Treasures or Preserve America grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant: *Provided further*, That competitive projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations and with the Advisory Council on Historic Preservation prior to the commitment of Preserve America grant funds.

#### CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$229,934,000, to remain available until expended: *Provided*, That none of the funds available to the National Park Service may be used to plan, design, or construct any partnership project with a total value in excess of \$5,000,000, without advance approval of the House and Senate Committees on Appropriations: *Provided further*, That notwithstanding any other provision of law, the National Park Service may not accept donations or services associated with the planning, design, or construction of such new facilities without advance approval of the House and Senate Committees on Appropriations: *Provided further*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the requirements of the fifth proviso under this heading in Public Law 108-108: *Provided further*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation only if matching funds are appropriated to the Army Corps of Engineers for the same purpose: *Provided further*, That none of the funds provided under this heading for implementation of modified water de-

liveries to Everglades National Park shall be available for obligation if any of the funds appropriated to the Army Corps of Engineers for the purpose of implementing modified water deliveries, including finalizing detailed engineering and design documents for a bridge or series of bridges for the Tamiami Trail component of the project, becomes unavailable for obligation: *Provided further*, That none of the funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation if the consent decree in United States v. South Florida Water Management District is terminated prior to the achievement of the requirements of the consent decree as set forth in Appendix A and Appendix B, including achievement of the 10 parts per billion numeric phosphorus criterion throughout the A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park: *Provided further*, That hereafter, notwithstanding any other provision of law, procurements for the National Mall and Memorial Park, Ford's Theatre National Historical Site accessibility and infrastructure improvements may be issued which include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

#### LAND AND WATER CONSERVATION FUND (RESCISSION)

The contract authority provided for fiscal year 2007 by 16 U.S.C. 4601-10a is rescinded.

#### LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$29,995,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$1,625,000 is for the State assistance program administration: *Provided*, That none of the funds provided for the State assistance program may be used to establish a contingency fund.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 233 passenger motor vehicles, of which 193 shall be for replacement only, including not to exceed 190 for police-type use, 11 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That not to exceed \$66,000 of funds available to the National Park Service in this Act may be used to provide a grant to the Washington Tennis and Education Foundation for recreation and education programs to be offered to at-risk school children in the District of Columbia.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

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

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

#### UNITED STATES GEOLOGICAL SURVEY SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$991,447,000, of which \$64,171,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which \$7,882,000 shall remain available until expended for satellite operations; of which \$21,083,000 shall be available until September 30, 2008, for the operation and maintenance of facilities and deferred maintenance; of which \$2,000,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost; of which \$175,597,000 shall be available until September 30, 2008, for the biological research activity and the operation of the Cooperative Research Units; and of which, \$13,000,000 shall be available only for the Mid-Continent Mapping Center (MCMC) in Rolla, Missouri to continue functioning as a full service mapping organization: *Provided*, That none of the funds made available under this Act may be used to consolidate the functions, activities, operations, or archives of the Mid-Continent Mapping Center (MCMC), located in Rolla, Missouri, into the National Geospatial Technical Operations Center

(NGTOC): *Provided further*, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

□ 1415

AMENDMENT NO. 8 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. TANCREDO:

Page 28, line 14, strike “; and of which” and all that follows through “*Provided further*,” on line 22.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment. We have not seen the amendment. The gentleman has not shown us the amendment.

The CHAIRMAN. The point of order is reserved.

Mr. TANCREDO. Mr. Chairman, this amendment will strike language added during the committee markup that prevents the U.S. Geological Survey from consolidating its older and obsolete mapping centers into a single consolidated national geospatial technical operations center.

According to the agency, the consolidation is critical to the USGS's ability to lead the Nation in facilitating and leveraging geospatial information services.

The centers USGS is attempting to consolidate were established many years ago to support a large field-based workforce spread out across the country when map production involved exhaustive field survey and was more manually intensive. That was fine back then, but it makes no sense now.

USGS, by their own admission, no longer manually collects and plots this kind of information, nor do they print a large volume of maps. Advanced technologies like remote sensing, we have all seen Google Earth, along with consumer demand for easy access to digital products have the USGS role.

The language in my amendment would strike needlessly imposing a 20th century paradigm on an agency that is desperately trying to make its way into the 21st century. This consolidation is not only saving taxpayers money, but it will create a more effective, efficient and modern USGS that is better prepared to work with partners in the State, local and private sectors.

In addition, it will make the agency more user friendly, a better place to respond to the needs of the most important customers, the U.S. taxpayer. This consolidation plan announced in September of last year has been rigorously reviewed twice, once by an internal USGS review team and again by

the Interior Department Inspector General.

Both found the process leading to the decision to consolidate the facilities was open, fair and adequate. The mission of the USGS is to serve the Nation by providing reliable, scientific information to describe and understand the Earth, minimize loss of property from natural disasters, manage water, biological energy and mineral resources and enhance and protect the quality of life.

Its mission is not to maintain antiquated facilities or outmoded paradigms to serve the parochial interests of the State or the Nation.

Mr. Chairman, I do intend to withdraw this amendment, but I first would yield to my colleague from Colorado.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, the gentleman makes a compelling point that we would be following the recommendations of a number of groups. Primarily the Bush administration has pointed out that this is a sound business decision that is fair to the taxpayers.

I believe the gentlemen's amendment should be supported today, but we will support whatever decision he decides is appropriate.

The amendment would remove language from the bill requiring the USGS to have a “full service mapping organization” at a specific location.

The Interior Department says that this would require them to continue to use outdated technology and would block them from their plans to consolidate mapping operations.

The Bush Administration objects to the language now in the bill because they say it is not fiscally responsible and would reduce their ability to provide needed geospatial information.

In a letter to the appropriations committee, the Interior Department describes their plans as being “a sound business decision” that is “fair to the taxpayers.”

I think that description is accurate, showing that even this Administration sometimes gets things right.

So, I think that on this matter we should do what they suggest.

I urge adoption of the amendment.

Mr. TANCREDO. I yield to the gentleman from Colorado.

Mr. BEAUPREZ. I thank the gentleman for yielding.

Mr. Chairman, I would join with my additional colleague from Colorado in supporting the gentleman's amendment. I entered into a colloquy earlier on the debate over the underlying bill and had that colloquy with the chairman of the subcommittee, and so my comments are in the RECORD. But I too am very supportive. I want to be on record as supporting the gentleman's amendment in every way, shape and form, and join my colleague, Mr. UDALL, as well.

Mr. TANCREDO. Mr. Chairman, reclaiming my time. I hope we can work together on this issue.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased that the gentleman has decided to withdraw his amendment, because if he had been studying this issue as long as we had in Missouri you would find, number one, that the cost of moving the mapping facility to Denver, Colorado, is an increase to taxpayers of \$2,069,322, and a 13.8 percent increase over the cost today of managing this program.

Now, let me just give you a little bit of history about this. Originally the goal was to consolidate the four USGS mapping sites and find the office that would be most competitive against the private sector. This is according to the former USGS Director. And Rolla, Missouri, the facility that we have today, has scored the best out of all of the criteria that the USGS committee put together for this planning. As a matter of fact, it scored 4.18 out of a possible 5, and Denver scored 2.84 out of a 5. The USGS planning committee actually recommended that the mapping center be located in Rolla, but it was subsequently decided by one individual within USGS to move it arbitrarily, so that it would lose against private competitors.

And let me also say that the Inspector General who did a report at the request of Senators BOND, TALENT and I, has found that USGS “failed to effectively and transparently demonstrate the entirety of its criteria or communicate the magnitude of its rationale.” In effect, the decision was made by one person who dismissed an entire team and planning process which was convened to select the site.

Mr. Chairman, I would like to yield to my colleague from Missouri (Mr. HULSHOF).

Mr. HULSHOF. I appreciate first of all the tone in which the gentleman offers this amendment. In the health care field, the Hippocratic Oath says first do no harm. A colloquialism from the outstate Missouri region that I think is appropriate here is, if it ain't broke, don't fix it.

I can assure my friend from Colorado that the National Geospatial Technical Operations Center in Rolla, Missouri, is a bargain for America's taxpayers and then some. The 160 employees at USGS Rolla are extremely proficient and possess a specialized technical skill. In fact, I heard the word “obsolete.” These specialized individuals worked around the clock to produce digital data sets of graphics in the aftermath of Hurricanes Rita and Katrina.

USGS Rolla continually provides the most current imagery and other geospatial data to the Departments of Homeland Security and Defense. They form useful partnerships with Fort Leonard Wood as well as University of Missouri Rolla. The latter especially focuses on earthquake preparedness, as

the gentlewoman from southeast Missouri knows is so important in response to the New Madrid fault.

USGS is not obsolete. It does play a critical role in Rolla in disaster response, and is the best and most affordable choice for this functionality.

Mrs. EMERSON. Mr. Chairman, reclaiming my time, I want to thank the gentlemen from Missouri. I also want to point out to my colleagues from Colorado that the USGS facility in Rolla provides geospatial data to the border health issue, which I know is of great interest to the gentlemen.

And I do want to correct a mistake. I did say that Denver scored 2.84 out of 5 as compared to Rolla, which was 4.18. Denver actually scored 3.11 out of 5, as compared to 4.18 for Rolla.

Mr. TANCREDO. Mr. Chairman, I move to strike the last word. I would like to engage in a colloquy with the chairman.

Mr. Chairman, I had intended to offer an amendment that would prevent the use of funds to delay action on a petition to remove the so-called Preble's Jumping Mouse from the Endangered Species List.

I say so-called, because in December of 2003, a scientific study conducted by biologists and the Chair of the Denver Museum of Natural History's zoology department, concluded that the Preble's Mouse is, in fact, not really a valid subspecies at all.

Ms. Ramey's findings contradicted a 1950 study based on just three museum specimens. That was the basis of the original "threatened" designation. Ironically, the Arizona professor who conducted the study a half century ago himself now agrees that Ramey's research invalidates his findings.

In early 2005, in the wake of Ramey's study, the U.S. Fish and Wildlife Service determined the petition to delist the mouse was warranted, and the agency began the delisting process. Better late than never, although that belated policy shift is not much of a consolation to those who have coughed up an estimate \$8 to \$17 each year in compliance costs.

Mr. Chairman, I believe that Dr. Ramey's work and the courage of former Interior Secretary Gail Norton to take action on it were important steps in our effort to base conservation decisions on science instead of politics or emotion.

Unfortunately, however, progress is stalled. In January of this year, the bureaucracy questioned the Ramey study, and in February the agency pushed back a decision on the delisting petition for another 6 months.

Mr. Chairman, I feel the agency is falling back into the all too familiar analysis paralysis that has become the hallmark of the Federal resources agency.

Quick action on this petition is extremely important to the people of my congressional district. I hope we can work together to ensure the agency's bureaucrats do not successfully subject

this delisting petition to death by delay.

Mr. TAYLOR of North Carolina. Will the gentleman yield?

Mr. TANCREDO. I yield to the gentleman from North Carolina.

Mr. TAYLOR. Mr. Chairman, I sympathize with the gentleman's position. The Director of the Fish and Wildlife Service has informed the committee that he does not anticipate further delays in the delisting decision.

I would be happy to work with the gentlemen to ensure that the Service lives up to that commitment. I appreciate the gentleman calling that to our attention.

Mr. TANCREDO. I appreciate the chairman's attention to this issue. It is an extremely critical one in my area.

Mr. STEARNS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had an amendment that I was going to offer and then withdraw it. So I think all I am going to do today is place my statement in the RECORD and speak briefly in a colloquy with the chairman about this.

Mr. Chairman, I want to bring to my colleagues' attention a very important site called Fort King, which is in Florida. It is in my hometown of Ocala. It is a very prominent place in American history. Fort King is a site where Chief Osceola fought against the United States in the chapter of American history, the Second Seminole War. This is from 1835 to 1842.

This site in Ocala, Florida is represented by my good friend, Congressman KELLER, who also supports the idea of making Fort King part of a National Historic Landmark, because it played such a distinct role in the founding of our wonderful State of Florida.

Secretary of the Interior Gail Norton designated Fort King a National Historic Landmark on February 24, 2004, and we were greatly pleased. Then in November, 2005, Fort King entered a draft special resource study and environmental impact statement public comment period.

This continued, Mr. Chairman, and we look forward to moving Fort King along in the process, and so now I am working toward preserving Fort King in perpetuity as a National Park.

Mr. Chairman, I would like to bring this to your attention. We have put in a request to fund it, and I think my only purpose today is to bring it to the chairman and his staff's attention how important it is to the history of Florida and its founding, and then if you in the future would consider it, that would be utmost appreciated.

Mr. Chairman, I would be glad to yield to Chairman Taylor.

Mr. TAYLOR of North Carolina. Mr. Chairman, I thank the gentlemen. I do recognize and appreciate you drawing it to our attention, the significance of the history of this matter, and we will take a look at it and see what we can do to work with the gentlemen.

Mr. STEARNS. Mr. Chairman, reclaiming my time. I thank the gentleman.

Mr. Chairman, I would like to take this opportunity to talk about an important site called Fort King, Florida, a site prominent in American history. Specifically, Fort King is the site where Chief Osceola fought against the United States, in a chapter of American history, the Second Seminole War from 1835–1842.

My home (and Representative RIC KELLER's), Ocala, Florida, is home to Fort King. This Fort played a direct role in the founding of Florida as a State.

Secretary of the Interior Gale Norton designated Fort King a National Historic Landmark on February 24, 2004, to our great delight. Then, in November 2005, Fort King entered a Draft Special Resource Study and Environmental Impact Statement public comment period. This continues, and we look forward to moving Fort King along in the process of preservation. And now, I am working towards preserving Fort King in perpetuity as a National Park. My good friend and colleague in the neighboring District, the Honorable RIC KELLER, who also represents Ocala, has collaborated with me on this effort.

Historic sites are a vital link between current and future generations of Americans and those who came before us. These landmarks give context to the national experience and help us understand our past so that we can envision our future.

What happened at Fort King? It is a very long story, about which I will elaborate longer on another occasion. The abbreviated story is that on December 28, 1835, Fort King was the site of an outbreak of hostilities between the United States Government and the Seminole Indians. The Seminoles were led in this attack by Chief Osceola. This attack began the Second Seminole War, which lasted longer than any other United States armed conflict, except for the Vietnam War.

Chief Osceola's first appearance to the world was at Fort King in October 1834. The defiant young war chief rejected the U.S. orders to leave Florida and threatened war unless the Seminoles were left alone. There was no trust left between the U.S. Army and the Seminoles. Then came the fateful day of December 28, 1835. That morning 40 miles to the south along the Fort King Road, the Seminoles ambushed and annihilated two companies of U.S. Army regulars in route to Fort King. That afternoon, Osceola shot and killed the Indian Agent Wiley Thompson outside the walls of Fort King. The Second Seminole War had begun.

During the 7 year guerrilla war that followed, every major general and every regiment of the U.S. Army was stationed at or passed through Fort King: men who would gain fame in the Mexican and Civil Wars. And here stood the enlisted men: Bemrose, Clarke, and hundreds of others who served in the Florida War.

Following the initial series of engagements, most of which the Seminoles won, U.S. forces withdrew from the interior of Florida abandoning Fort King in May 1836. The Seminoles stood victorious, and burned the hated Fort King to the ground. But it would be a short lived victory, when the Army returned a year later and rebuilt Fort King.

When it finally ended in 1842, most of the Seminoles had been killed or captured and relocated to Indian Territory in Oklahoma. These native Americans constitute the Seminole Nation of today. An unconquered and defiant few

withdrew to the vastness of the Florida Everglades and survived to the present as the Seminole Tribe of Florida.

In March 1843, Fort King was abandoned by the U.S. Army for the last time and transferred to the people of Marion County. The Fort was used as the County's first courthouse and public building. In 1846, it was dismantled by the citizens of Marion County for its lumber. The great pines had done their job.

Fort King and the surrounding area contain artifacts used in the attack and in the life of the Seminole Indians. Preserving our past for our children and grandchildren is imperative. Fort King is a historical gem that should be accessible to all. This site is significant, not only in Florida's history, but to the history of the Nation. I have been working on advancing Fort King through National Historic Landmark status towards hopeful, eventual National Park Service status, for the past several years, and am looking forward to see this project come to fruition. Representative KELLER and I hope that I can count on the Chairman's support to preserve this unique historic site for future generations.

#### FORT KING HISTORY

Fort King was originally constructed in 1827 to implement the conditions of the Treaty of Moultrie Creek, which restricted Florida Indians to specified reservation boundaries and prohibited all but authorized persons from entering the reservation. The fort, which was located at the edge of the Seminole Reservation, provided protection and security to the inhabitants of Florida.

On December 28, 1835 a band of Seminoles led by Osceola attacked and killed the Seminole Indian Agent Wiley Thompson and several others at Fort King. Simultaneously, a force of Seminole and Black Seminoles attacked 100 federal troops making their way to Fort King from Fort Brooke. Only one soldier survived the attack. Most scholars consider these two events as the beginning of the Second Seminole War.

Fort King played an important military role throughout the Second Seminole War by serving as a council site for negotiations between Seminole and the U.S. Government and as headquarters for the U.S. Army of the South.

#### CHRONOLOGY OF ENDEAVORS TO SAVE THE FORT KING SITE

The Ocala Chapter of the Daughters of the American Revolution purchased one acre of land that was thought to have the Fort King cemetery located on it in the 1930s.

Hurricane Gladys blew over a pine tree in 1968, exposing a cellar from a building associated with Fort King.

1988—1991: Ocala received matching grants from the Florida Department of State, Division of Historical Resources, for archaeological auger surveys to find the location of Fort King. The grants totaled \$56,000. Ground penetrating radar was used and foundations from structures were recorded on the high ground.

In August 1991, the Marion County Board of County Commissioners voted to proceed with the attempt to purchase the Fort King site, using funds from the "Pennies for Parks" program.

The Marion County Commission with the help of the McCall family, City of Ocala, Bureau of Historic Preservation and Trust for Public Lands pursued the acquisition of the site from 1988 to 2001.

In 2001 the County, City, and State purchased the entire Fort King site with the City agreeing to maintain and protect the site.

On June 12, 2003 the National Park System Advisory Board unanimously recommended Fort King for National Landmark status.

On February 24, 2004 Fort King was designated as a National Landmark.

#### WHY A NATIONAL PARK?

Since the early 1900s local citizens recognized the historical value of this site not only to our community but to the nation.

On a national level, Fort King played a key role in the Second Seminole War and is strongly associated with the broader national themes of Indian Removal and Jacksonian Democracy, Manifest Destiny and Westward Expansion. The fort also had strong ties to persons, such as the famous Seminole Indian leader Osceola and General Wiley Thompson, who are significant in the history of our country. Most of the West Point graduates during this time period served at Fort King.

Compared to other Second Seminole War sites, Fort King contains the greatest wealth of intact subsurface features and artifacts presently documented. Archaeologists have also found that the site contains several pre-contact American Indian components, which with further research could answer important questions as to the transition between the Archaic (circa 2300-500BC) and Cades Pond (circa AD100-600) periods. Archaeological studies have already identified structural and artifactual features that relate to the early post-military use of Fort King. This site has the potential to provide important information about the establishment, early settlement and expansion of the Florida peninsula.

The City of Ocala and Marion County were politically and geographically established because of Fort King. This nationally significant historical resource fundamentally defines our sense of place, who we are as citizens and our role in our Nation's history.

#### SIGNIFICANCE OF A NATIONAL PARK

The designation of Fort King as a National Park will provide citizens the opportunity to experience the interpretive and educational benefits that the site has to offer. It will also create a new recreational opportunity, which is currently unavailable within the region. A National Park will attract visitors not only to this region but to the State of Florida.

Most importantly, the citizens of Ocala/ Marion County are very proud of their heritage and have gone to great lengths to continually try to preserve it for future generations. The City of Ocala, Marion County, the Historic Ocala Preservation Society, the Marion County Black Archives, the Marion County Historical Commission, the Marion County Museum of History, the Seminole War Foundation and many individuals have worked tirelessly to save buildings, sites and historic information as well as to create local preservation laws. These preservation efforts would not have been possible were it not for the continuous help and support from the State of Florida.

Mr. RENZI. Mr. Chairman, I rise to strike the last word for the purpose of engaging the chairman in a colloquy.

Mr. Chairman, I want to begin by thanking the chairman for his hard work on the National Fire Plan and also for the ranking member. The \$2.7 billion in funding under the National Fire Plan increases the amount over last year by \$80 million. It is essential in preventing forest fires throughout our Nation.

This map here shows the largest southern Ponderosa pine forest in America. I know the gentleman is very, very familiar with it. We have the larg-

est stand of heavy fuel loads left in the forest, which are providing large-scale size forest fires throughout Arizona.

The last fire we had in our State broke the State record from the previous fire, which was over 560,000 acres. Communities like Flagstaff and Payson and Prescott, are entrenched with a fuel load around them that is making it a threat to live in this community and causing the insurance rates to skyrocket.

□ 1430

Severe drought, bark beetle infestation, and poor forest management have all led to this kind of a condition.

I would ask, please, and would thank both gentlemen that the report language include some of the boundary projects that need to go in place for people who do live in the forest, who make their livings there, who raise their families there, to be able to survive through the next forest fire season. Our forest fire season begins in February, the earliest in the country, and goes all the way to the end of autumn. And I would like to thank both gentlemen for their work on this effort.

Mr. TAYLOR of North Carolina. If the gentleman will yield, I realize the threat of the forest fires in Arizona, and I appreciate the hard work this gentleman has done on this issue. I will be happy to work with you to encourage the Forest Service to work on the fire breaks and the hazardous fuel projects in the vicinity of the Payson and other areas such as the gentleman represents in these important needs.

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

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

Mr. DICKS. Mr. Chairman, I want to associate myself with the chairman's remarks and the gentleman's remarks. These are very serious issues. I would just say one thing: also in this bill is a sense of Congress on global warming, on the warming of our climate; and one of the things that the scientists talk about is more severe droughts. And this warming will exacerbate this problem if we don't do something about it.

So I just would say to the gentleman, because I know he is extremely sincere in his efforts to deal with protecting and allowing the clearing out of this understorage, you have got to also think about the severity of these droughts which is being made worse by the warming of the climate. So they are interrelated.

Mr. RENZI. Reclaiming my time. I appreciate the gentleman's comments. We in Arizona understand warming, the sunshine State; and our initiatives are more towards the area of trying to thin the forest. We are so far behind in getting those fuel loads out, and I know the gentleman recognizes that. And I do appreciate the chairman talking about the town of Payson, Arizona, which we almost lost last year, an entire community where the fire was burning so hot and so fast it actually

blew embers a mile and a half in the air as they were landing in and near that community. So I thank you very much for your comments. Mr. Chairman, I thank you for your hard work on the National fire plan.

Mr. POMBO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage Chairman TAYLOR in a colloquy regarding the State Water Research Institute's program.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would be happy to discuss the matter with the distinguished chairman of the Resources Committee.

Mr. POMBO. Mr. Chairman, as chairman of the Resources Committee, I have fought to add more domestic water supplies to blunt the effects of drought, population growth, and environmental mandates. We have made significant progress in this effort, but more change can be made to existing programs to help create more water supplies. One needed reform is to the State Water Research Institute's program which is funded through the USGS in this bill. This program needs to be reauthorized and changed to reflect current-day water supplies. In fact, the Resources Committee held a hearing just last week on Mr. DOOLITTLE's bill to reauthorize the program by adding water supply creation as a focus and to create better transparency and results-oriented research.

I have concerns with the appropriation in this bill to a program in desperate need of change, but I want to work cooperatively with the distinguished gentleman from North Carolina to resolve this concern. Absent such authorization, it will be difficult for Congress to continue its support for this program in the future.

Mr. TAYLOR of North Carolina. I want to ensure my colleague from California that our water research program should be targeted and focused to solving real water supply problems. I am aware that the Resources Committee is advancing Mr. DOOLITTLE's bill and that reauthorization is needed. I look forward to working with my colleague on this important issue and thank him for bringing that to our attention.

Mr. POMBO. I thank the gentleman very much.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for the purchase and replacement of passenger motor vehicles; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly ap-

pointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

#### MINERALS MANAGEMENT SERVICE ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, \$157,496,000, of which \$79,158,000 shall be available for royalty management activities; and an amount not to exceed \$128,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$128,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$128,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2008: *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That for the costs of administration of the Coastal Impact Assistance Program authorized by section 31 of the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1456a), MMS in fiscal years 2007 through 2010 may retain three percent of the amounts which are disbursed under section 31 (b)(1), such retained amounts to remain available until expended.

#### AMENDMENT NO. 11 OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mrs. MALONEY:

Under "Minerals Management Service royalty and offshore minerals management", after the first dollar amount insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

Mrs. MALONEY. Mr. Chairman, the Maloney-Miller amendment would direct \$1 million of the overall appropriation for the Minerals Management Service to States and tribes for auditing purposes. I understand that the majority will accept this amendment, and I want to thank Chairman TAYLOR and Ranking Member DICKS and their staff for their assistance and support.

I also want to thank Representative GEORGE MILLER for working with me to provide this critical funding to the States and tribes to perform these audits. According to data collected from MMS in previous years, the States and tribes collect \$5 for every dollar spent on audits. I believe this amendment is an important step in ensuring that the companies responsible for remitting royalties from minerals produced from Federal and Indian leases do so in compliance with applicable lease terms, regulations, and policies governing the valuation of the produced minerals. At a time of increased values for gas and oil, States and tribes should be given more resources to ensure that royalty payments are paid in full.

Mr. Chairman, I yield to the chairman of the committee, and hopefully he will support this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I am willing to accept this amendment and work with the gentleman and the Interior Department to increase State and tribal auditing funds. Thank you very much for bringing it to our attention.

Mrs. MALONEY. I thank the chairman and Ranking Member DICKS.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$6,903,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

#### REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$112,109,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2007 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of

Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

#### ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$185,936,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2007: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts allocated under section 402(g)(2) of such Act as of September 30, 2006, but not appropriated as of that date, are reallocated to the allocation established in section 402(g)(3) of the Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

#### ADMINISTRATIVE PROVISION

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

#### BUREAU OF INDIAN AFFAIRS

##### OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,973,403,000, to remain available until September 30, 2008 except as otherwise provided herein, of which not to exceed \$74,179,000 shall be for welfare assistance payments and, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$151,628,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2007, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual

funding agreements and for unmet welfare assistance costs; and of which not to exceed \$457,352,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2007, and shall remain available until September 30, 2008; and of which not to exceed \$66,277,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed the welfare assistance payments cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$44,060,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2006 for the operation of Bureau-funded schools, and up to \$500,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on or after July 1, 2006, of Bureau-operated schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2008, may be transferred during fiscal year 2009 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2009.

#### CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$215,799,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2007, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether such grantee would be deficient in assuring that the

construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of replacement school construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any tribe or tribal organization receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction of the replacement school: *Provided further*, That this Appropriation may be reimbursed from the Office of the Special Trustee for American Indians Appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

#### INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS (INCLUDING TRANSFER OF FUNDS)

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$39,213,000, to remain available until expended, for implementation of Indian land and water claim settlements pursuant to Public Laws 99-264, 100-580, 101-618, 107-331, and 108-477, and for implementation of other land and water rights settlements, of which \$316,000 shall be available for payment to the Quinault Indian Nation pursuant to the terms of the North Boundary Settlement Agreement dated July 14, 2000, providing for the acquisition of perpetual conservation easements from the Nation and of which \$5,067,000 shall be for the Idaho Salmon and Clearwater River Basins Habitat Account pursuant to the Snake River Water Rights Act of 2004 and of which \$200,000 shall be transferred to the "Bureau of Land Management, Management of Lands and Resources" account for mitigation of land transfers associated with the Snake River Water Rights Act of 2004.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, \$6,262,000, of which \$626,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$87,376,744.

#### ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

Mr. THOMPSON of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the chairman in a colloquy regarding the Klamath River Basin recovery in northern California.

Mr. Chairman, as you know, salmon fishing off the coast of California and Oregon has been shut down this year due to poor returns of Chinook salmon to the Klamath River. In 2001, farmers in the Klamath Basin were similarly shut down due to the resource problems in this watershed.

I know the chairman would agree with me that these two occurrences demonstrate the urgent need to combine peer-reviewed science with local stakeholder cooperation in order to help fish in the Klamath Basin recover so that fishing and farming in the area can continue. Mr. Chairman, you have helped with this effort in the past, and I thank you for your attention to this important issue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I agree with the gentleman that accurate science, local input, and the establishment of a clear plan is the best approach to solve the problems in the Klamath Basin, and the committee has tried to be helpful in this regard.

Mr. THOMPSON of California. As you know, Mr. Chairman, one important aspect of addressing Klamath issues is the development of a salmon recovery plan. And no plan will be successful without broad support and voluntary cooperation by local stakeholders. Fortunately, there has been progress in the Klamath Basin to develop voluntary recovery plans and projects for the threatened Coho salmon. This has been done collectively with farmers, tribes, fishers, and scientists. Would the chairman support me in requesting that the U.S. Fish and Wildlife Service and NOAA fisheries use their existing authorities and the conservation funds identified in this bill for the Klamath Basin to implement the salmon recov-

ery projects that have been developed by this local stakeholder group?

Mr. TAYLOR of North Carolina. I agree with the gentleman that plans that identify locally supported and on-the-ground recovery projects are an important part of helping to solve the problems. I would be pleased to support the gentleman by directing the Fish and Wildlife Service work with NOAA fisheries and the local stakeholders. Further, the Committee would be glad to facilitate a meeting as soon as possible with the Fish and Wildlife Service on this important issue. I thank the gentleman for bringing this to our attention.

Mr. THOMPSON of California. I thank the chairman for his cooperation.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

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

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

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

#### DEPARTMENTAL OFFICES

##### INSULAR AFFAIRS

#### ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$77,561,000, of

which: (1) \$69,537,000 shall remain available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$8,024,000 shall remain available until September 30, 2008, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

#### COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, \$5,362,000, to remain available until expended, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99-658 and Public Law 108-188.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$118,303,000; of which \$7,915,000 for appraisal services and Take Pride in America activities is to be derived from the Land and Water Conservation Fund and shall remain available until expended; of which not to exceed \$8,500 may be for official reception and representation expenses; and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines: *Provided*, That none of the funds in this Act

or previous appropriations Acts may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House and Senate Committees on Appropriations.

AMENDMENT NO. 10 OFFERED BY MR. CANNON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. CANNON: Page 46, line 8, after the dollar amount insert "(reduced by \$18,000,000)".

Page 47, line 1, after the first dollar amount insert "(increased by \$16,000,000)".

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

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

There was no objection.

The CHAIRMAN. The gentleman from Utah is recognized for 10 minutes.

Mr. CANNON. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment that I offer on behalf of myself, Mr. MARK UDALL, Mr. ROB BISHOP, Mr. RAHALL, Mr. GIBBONS, and Mr. SALAZAR to redirect \$16 million from Departmental salaries and expenses to the Payment in Lieu of Taxes program.

I am pleased to be working with this bipartisan group and thank the gentlemen for their support. All of us have something in common: we represent some of the 1,900 counties that host public lands that rely on the Payment in Lieu of Taxes program to mitigate the impact of the lost tax revenues resulting from Federal land ownership.

The Federal Government owns nearly 650 million acres of land, most of it in the West. The map I have here has all land owned or held in trust by the Federal Government in red. As you look at this map, you can see that we have a problem: the Federal Government owns the bulk of the West. That means that we do not tax those lands, and that means that in the western United States we pay less per child for education but we tax our people more per family because we are supporting the Federal Government.

As the chairman of the Congressional Western Caucus, I know well that my fellow colleagues in the West struggle with these issues. It is only fair that we pay a reasonable amount in lieu of taxes to cover this shortfall. The Payment in Lieu of Taxes program was created in 1976 to provide payments to counties to make up for the property taxes they are prevented from collecting on Federal lands located within their boundaries. This year, the administration's budget proposed to cut PILT by \$34 million, a paltry 56 percent of the authorized level.

Under Chairman TAYLOR's leadership, and I might say also Ranking Member DICKS', we have been able to achieve historic levels of PILT funding. We thank them both for that and for their efforts this year that have nearly restored last year's PILT funding levels.

□ 1445

While the number currently in the bill is significantly above the administration's recommendation, it is well under last year's level and far from what it should be, and our counties are bearing the brunt of it.

While the Department's administrative budget has nearly doubled since 2001, PILT funding levels have not kept pace, and this is not acceptable.

It is imperative that we keep fighting for funding so our rural counties will not have to continue to foot the bill for lands owned by the Federal Government.

I urge my colleagues to support the amendment to bring PILT funding levels to the nearly 70 percent of authorization and support the counties that host our public lands.

This amendment will add a modest sum to the PILT program, a sum that is important to the American people who live in and around these Federal lands and those who travel to them and enjoy them from around country.

Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

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

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I rise in support of this important amendment. The amendment would increase funding for the so-called PILT program, the Payment in Lieu of Taxes, by \$16 million. It would bring the total in the bill to about 81 percent of the authorized amount. In my opinion, that is still not enough, but it is an important down payment and a definite improvement for all of our rural counties.

As you can see here on the map, those of us in the West, in particular, are affected by payment in lieu of taxes payments because we have the great majority of public lands in the West. Uncle Sam is everybody's neighbor in the West, and we look to our neighbors for help. PILT is one of the best ways that Uncle Sam can help Colorado and other States. So this is an important amendment and one that deserves to be adopted by the House.

If I could, I would like to use the rest of my time to talk about how we can do more.

We should act to make it unnecessary to continue debating PILT as a part of the appropriations process every year, and this is why I have introduced along with my colleague the gentleman from Colorado (Mr. SALAZAR) H.R. 788, which would provide permanent and automatic funding at the full authorization level and outside the appropriations process for PILT.

Under our bill, PILT would no longer be held hostage every year to the appropriations and budget processes so local counties could count on receiving full and timely payments based on the formulas set by law.

This legislation is similar to a bill proposed by our former colleague Congressman McInnis before he retired from the Congress, and like his bill, our legislation has bipartisan support.

In addition, my neighbor, the gentlewoman from Wyoming (Mrs. CUBIN), has introduced a bill that would phase in PILT funding over a 3-year period, and this, too, would be an improvement over the current situation.

So I know, along with all of my Western colleagues, Republican and Democrat alike, I stand here hoping that the Resources Committee will take up our legislation soon, but in the meantime we should do the next best thing and adopt this important bipartisan amendment.

I want to thank the gentleman for yielding.

Mr. CANNON. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR).

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

Mr. SALAZAR. Mr. Chairman, I rise today to express my support for the amendment that would add \$16 million of PILT funding for the program.

This bill is a great disappointment to me. Being from Colorado, in my district, where 74 percent of all of our lands is public lands, the State has vast public lands and public resources, and the funding this bill provides is vital for my State, but the funding fails us at many levels.

One of the many problems with this bill is the cuts to the Clean Water State Revolving Fund and the State Tribal Assistance Grants, and probably the most frustrating part of this bill is the lack of adequate funds for payment in lieu of taxes. As my colleague Mr. UDALL said, we have introduced legislation that would actually make it an automatic funding.

In fact, my district has 29 counties and over 60 percent of that in Federal ownership. This is lost revenues to these counties, and all 29 counties receive PILT payments.

Through legislation passed, the PILT funding program is authorized for \$350 million in funding for fiscal year 2007. Yet, year after year, this funding program does not receive the adequate, authorized funding needed.

This year, the Appropriations Committee chose to only fund \$228 million. This is \$122 million short. My colleagues and I offer this amendment to help provide needed funding. This is vital to Western States. It is vital to rural America, and I would like to thank Mr. CANNON, Mr. UDALL of Colorado, Mr. BISHOP of Utah, Mr. RAHALL and Mr. GIBBONS for their hard work on this issue.

I urge my colleagues to support the passage of this amendment.



Mr. CANNON. Mr. Chairman, I want to thank the gentleman from Colorado for his comments, and I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Chairman, I want to thank the gentleman from Utah for yielding me the time, and Mr. Chairman, I am grateful to stand here in support of this bipartisan amendment, grateful not just as a Member of Congress from Nevada, but as member of the Western Caucus as well.

Mr. Chairman, as you can see, in Nevada, the Federal Government owns more than 60 million acres of land, which equates to nearly 87 percent of the State. More often than not, for those of us in the West, the Federal Government is not just our neighbor, it is the neighborhood. With such a large Federal presence comes significant challenges, especially in our rural communities.

The PILT program helps compensate for the inability of our rural communities to generate sufficient property tax revenues needed for schools and local infrastructure because of the overwhelming Federal land ownership, and since Nevada cannot generate revenue from nearly 87 percent of the State, PILT funding is vital. Yet the program has never been adequately funded.

In my congressional district alone, Nevada has lost more than \$68 million over the last 10 years because PILT has not been fully funded.

I want to thank the chairman, Mr. TAYLOR, for his efforts to increase PILT this year. The \$198 million requested by the administration was very disappointing and would only serve to exacerbate the current funding discrepancy and increase the burden on our rural communities.

Chairman Taylor added \$30 million to the PILT this year above the administration's request, and for that we are grateful but we cannot stop there.

This amendment will allow all communities, and especially our rural communities, to continue to provide not only for their residents but for essential services for visitors to our public lands such as law enforcement, emergency health care, and search and rescue.

It bears mentioning again that Nevada cannot raise revenue from more than 87 percent of our State, and many counties across the country face similar loss of tax based revenue.

I strongly encourage all of my colleagues to support this bipartisan amendment that will help the Federal Government fulfill its commitment and obligations to communities and ease the burden of heavy Federal land ownership in our rural communities.

Mr. CANNON. Mr. Chairman, I yield the remaining 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, the other maps were in green and red. Mine is in blue, and my chart is to show in the blue the total amount of

each State's land that is now combined and controlled by the Federal Government.

You can see an obvious change in States here that in the West who, when they were admitted to the States, were admitted with certain conditions for the yielding of that State land. It was unilaterally changed by the Federal Government in the 1950s, and in the 1970s when the PILT program came into effect, it was somehow to try and offset the impact of those particular changes.

The Department of the Interior said 2 years ago when they took over the funding of the PILT issue they would ensure appropriate emphasis. It has not happened to this date.

This amendment would actually do that by putting PILT up to what was appropriated last year and to where the Senate purports to be at the end of this year's session.

Let me just say that in the short time I have to finish, the Washington Post has endorsed this amendment. You may not have known that because they do not know it either, but last year, they wrote the Federal Government is the largest landowner in Washington, DC, and since this land cannot be taxed, the Federal Government is the principal contributor to the district's chronic fiscal imbalance.

That is our point for those of us in the West exactly. This is the problem that we have, and PILT is the one that tries to change that economic impact to mitigate the losses that we indeed have. The Department of the Interior has a commitment to make sure PILT was fully funded. All we are trying to do with this amendment is to help the Department of the Interior to maintain their commitments.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Mr. DICKS and I in our original markup, which was a \$34 million cut, reinstated \$18 million in that first appropriation. Later, we added another \$12 million in for that and brought it within \$4 million of last year's effort.

Now, when the gentleman takes \$18 million out of the funding for the Department, we do considerable damage, and the Department oversees one in every five acres of national land, including vital tributaries and recreation areas, and produces over \$14 billion in royalty revenue for the U.S. Treasury, and it must have the funds in the operations account.

Frankly, if we were doing more harvest in our national forests we would not need this much PILT because that was really where it was to come from when the forests and other public lands were started, but we will try to do what we can.

I will yield to the gentleman's amendment, and we will accept his amendment, knowing that in conference we may not be able to hold this third increase.

Mr. RAHALL. Mr. Chairman, I rise in strong support of the amendment to increase funding for PILT.

I am proud to join my colleagues from Western States to make the point that PILT is a vital part of communities across this great land. PILT funds help make communities safer, cleaner and healthier in 49 of our 50 States—from Maine, to West Virginia, to California. In seeking adequate PILT funding, we are truly all in this together.

Now some may say that, in the grand scheme of our Federal budget, PILT payments to counties are just not that important. Well I can tell you that the PILT funding received by Greenbrier County or Pocahontas County in West Virginia is crucial to their ability to provide the quality and quantity of local services the families of West Virginia deserve.

I am also here to support more funding for PILT because I support public land ownership and acquisition, where it is appropriate. As the ranking member on the House Resources Committee, I have the privilege of working with the other committee members to oversee our national parks, forests and refuges. These lands are part of our national identity and they are a birthright we will pass on to future generations of Americans.

But along with responsibility for these public lands comes a responsibility to the surrounding local communities. PILT payments compensate these local communities for lost revenue due to public land ownership. Making good on those payments is part of being a good steward but it is also part of being a good neighbor, and that is something we take very seriously in West Virginia.

The budget priorities chosen by this administration and this Congress force many very painful decisions. However, funding for a program as broad and important to local governments as PILT must be funded adequately. I urge adoption of this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

Page 46, line 8, after the dollar amount insert "(reduced by \$1,800,000)".

Page 64, line 11, after the dollar amount insert "(increased by \$1,800,000)".

Mr. SANDERS. Mr. Chairman, first, I want to thank the majority and the minority because my understanding is they have accepted this amendment, and I appreciate that very much.

The legislative intent of this amendment is to increase the funding for the Environmental Protection Agency's EnergyStar Program in K-12 school systems by \$1.8 million offset by a reduction in administrative expenses for the Department of the Interior.

Mr. Chairman, our Nation's 17,450 school districts are facing serious problems. Their budgets are threadbare, and most can barely pay their teachers a living wage. To make matters worse, America's school buildings are aging. The average age is over 42 years, and

the vast majority could greatly benefit from energy saving improvements.

According to the EPA, energy costs represent a typical school district's second largest operating expense after salaries, more than the cost of computers and textbooks combined. Amazingly, in a typical school, one-third of the energy used goes to waste, largely due to old and poorly functioning equipment, poor insulation, and outdated technology.

Unfortunately, school administrators are often hard pressed to allocate any of their limited funds toward improving the energy efficiency of their buildings and systems, even when it is clear that such improvements would save them substantial sums of money that could help pay for their other needs.

Fortunately, the EPA has an energy conservation program that can help these schools do just that: to implement energy-saving strategies that save money, help children learn about energy, and create improved teaching and learning environments.

□ 1500

The EPA's EnergyStar Program, in its partnership with America's K through 12 school districts, is committed to building a new national infrastructure of schools that are smart about every aspect of energy.

In addition to helping school districts save up to 30 percent on their energy bills each year, energy efficiency prevents greenhouse gas emissions and improves the students' learning environment. Schools that are well lit, well ventilated, and in good repair create a healthy, comfortable learning and teaching environment. A better physical environment is among the many factors that have been demonstrated to contribute to increased learning and productivity in the classroom, which in turn affects performance and achievement.

Right now, more than 200 school districts across the country are partnering with EnergyStar. But for a Nation whose schools spend \$5 billion annually on energy, there is obviously a lot of work to do. Of the 11,000 school buildings that have been rated, only 16 percent of the Nation's total school building inventory, only 530 schools have earned an EnergyStar rating by achieving a score of 75 or higher, a score that means that they use about 40 percent less energy than average buildings.

Fortunately, the EPA is now working with partners such as the National School Boards Association, the National Parent-Teacher Association, and the Sustainable Buildings Industry Council to collaboratively improve the energy efficiency and the indoor environments of many more of our Nation's K through 12 schools. These efforts are helping school districts to save big on utility bills and maintenance costs, in turn freeing up funds to pay for books, computers and teachers, and to improve indoor air quality and comfort. These efforts deserve our support.

In short, Mr. Chairman, the EnergyStar Program helps our Nation's schools to implement energy saving strategies that save money, help children learn about energy and create improved teaching and learning environments. This amendment would add \$1,800,000 to this important work in our Nation's K through 12 school systems.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

This amendment would provide an increase of \$1.8 million, and while I do not approve of the proposed offset, I am prepared to accept the amendment and we will do that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$228,000,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

#### CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$9,923,000, to remain available until expended.

#### OFFICE OF THE SOLICITOR SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$56,755,000.

#### OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$39,688,000.

#### OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS FEDERAL TRUST PROGRAMS

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$150,036,000, to remain available until expended, of which not to exceed \$45,000,000 from this or any other Act, shall be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Departmental Management, "Salaries and Expenses" account: *Provided further*, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2007, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation

pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$15.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

#### INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with re-determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, \$34,006,000, to remain available until expended, and which may be transferred to the Bureau of Indian Affairs and Departmental Management accounts: *Provided*, That funds provided under this heading may be expended pursuant to the authorities contained in the provisos under the heading, "Office of Special Trustee for American Indians, Indian Land Consolidation" of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106-291).

#### NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

#### NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 1911 et seq.), \$6,109,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund: *Provided further*, That the annual budget justification for Departmental Management shall describe estimated Working Capital Fund charges to bureaus and offices, including the methodology on which charges are based: *Provided further*, That departures from the Working Capital Fund estimates contained in the Departmental Management budget justification shall be presented to the Committees on Appropriations

for approval: *Provided further*, That the Secretary shall provide a semi-annual report to the Committees on Appropriations on reimbursable support agreements between the Office of the Secretary and the National Business Center and the bureaus and offices of the Department, including the amounts billed pursuant to such agreements.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone

service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 104. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

AMENDMENT OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONAWAY:  
Page 54, beginning at line 15, strike section 104.

Mr. CONAWAY. Mr. Chairman, I rise today to talk about an issue that is in every paper and on every television program almost, on every news channel, and that is the supply of oil and gas that this country not only uses but in particular produces.

For 25 years now, we have used this appropriations bill to unnecessarily restrict access by those who would explore for oil and gas to lands and properties and, in this instance, the Outer Continental Shelf, where it is clear that significant supplies of oil and natural gas exist. The additional production that would be gained from these areas is self-evident as to the values of it, not only the balance of payment, because every MCF of gas that we produce from these lands would offset gas that is imported, and any number of jobs are created when we are drilling for oil and gas on our own properties and our own lands.

The industry's safety record over the last 25 years has continued to improve. The risks to the beaches in this area off the gulf coast of Mexico is de minimis. The safety record is exemplary not only in the drilling phase but also in the production phase.

With respect to the production phase, you cannot paint a worse scenario to go through the Gulf of Mexico and destroy those production platforms than Hurricane Katrina in August. As a result of the sub-sea engineering that is in place to protect against oil and gas spills, when Hurricane Katrina came through and destroyed many of the production facilities, there was no release of crude oil and natural gas into the environment.

The estimates for the amounts of oil and gas in this region range from trillions of cubic feet of natural gas and billions of barrels of oil, all of which would go to reduce America's dependence on imported crude oil and natural gas. So my amendment would simply strike these provisions that have unnecessarily restricted access to these waters.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to oppose the amend-

ment, and I would ask the gentleman to withdraw the amendment.

I would say to the gentleman that I am concerned about high energy prices, and I would agree with him that it would be better to increase the production of oil and gas from our Federal waters, but this year I think the oil moratorium should be addressed with comprehensive authorizing legislation which would guide the appropriate leasing.

So I would say to him that we would commit to working with him on this issue and ask that he withdraw his amendment.

Mr. Chairman, I yield to the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I appreciate that. It was my intent to withdraw this amendment but after a discussion with my colleague from Florida. If I could have that discussion, sir.

Mr. PUTNAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage my good friend from Texas. This is an issue that the State of Florida and other coastal areas have been dealing with for the past 25 years in terms of the appropriateness of the moratorium. This particular issue is one that has obviously reached critical mass, with the shortages of natural gas that we are facing and the high price of gas that consumers are dealing with.

However, this is an important balancing act that this Congress must consider very carefully. Whatever we do as it relates to offshore drilling ought to be done in a comprehensive manner, it ought to have the input of the States, and it ought to recognize the sensitive areas.

My friend from Texas makes a very important point about the economic necessity and, frankly, the improvements in technology that allow for safer production and safer exploration capabilities. But it is my belief, and the belief of certainly the Florida delegation, that we must deal with this separate and apart from the spending bill.

We must also deal with it in a way that does not expose an area as close to the beaches as 3 miles to the prospect of oil and gas rigs, and one which allows a range of input from throughout the membership so that we can move forward with the goal of dealing with our national energy crisis, do it in a safe and comprehensive way, and do it in a way that respects the rights of States to opt in or opt out, as appropriate, dealing with their own individual environmental sensitivities.

We recognize our obligation as Floridians as major energy consumers, that we have an obligation to review our previous positions. We recognize the improvements in technology. But, frankly, 3 miles off of our coast is an unacceptable limit, and we believe that this issue is best served as a stand-alone comprehensive bill.

Mr. CONAWAY. Mr. Chairman, in the spirit of cooperation with my colleague

from Florida and the chairman, and in the interest of working on a comprehensive solution that addresses the supply issues that face our Nation, as well as the States' rights issues that are very legitimate concerns as to where the drilling begins off a particular State's coast, and the opportunity to allow each State to make that decision for their own, as Texas has done for many, many years, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 106. No funds provided in this title may be expended by the Department of the Interior to conduct oil preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

AMENDMENTS OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer three amendments, and I ask unanimous consent they be considered en bloc.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, reserving the right to object, and I will not object, with the understanding with the gentleman that he will agree with a unanimous consent request that I will make to limit debate on the amendment to 10 minutes, with 5 minutes divided on each side. Does the gentleman share that understanding?

Mr. POE. That is correct, Mr. Chairman.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. POE:

Page 54, beginning at line 15, strike section 104.

Page 54, beginning at line 24, strike section 105.

Page 55, beginning at line 6, strike section 106.

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that the debate on this amendment and any amendments thereto be limited to 10 minutes to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Without objection, they may be considered under that limitation.

There was no objection.

Mr. POE. Mr. Chairman, the United States has to be more self-sufficient when it comes to energy. We import 60

percent of our crude oil from foreign countries. In doing so, we are subject to the illegal price-fixing cartel known as OPEC. The Gulf of Mexico is responsible for one-third of the domestic oil production and 20 percent of the domestic natural gas production. My amendment will end the congressional moratoria on energy exploration along the Outer Continental Shelf.

Right now, Mr. Chairman, the areas shaded in blue are where we drill offshore. We drill offshore of the coast of Texas, Louisiana, and part of Mississippi and Alabama. All of the red on the West Coast, East Coast, and the other parts of the Gulf of Mexico are prohibited by law. Since the 1980s, Congress has been placing appropriations moratoriums on drilling in all these red areas that are outlined on the map, which is about 90 percent of the Outer Continental Shelf that is off limits to energy development.

All of these areas in these coastal States certainly want cheap gasoline and they want natural gas, but they do not want to drill in their neighborhoods. They would rather that Texas and Louisiana keep drilling in our neighborhoods. We can't have it both ways, cheap gasoline and refuse to drill offshore. It seems to me to be somewhat hypocritical, because this does not make sense.

In the Outer Continental Shelf there are about 300 trillion cubic feet of natural gas and more than 50 billion barrels of oil yet to be discovered. That is enough natural gas or oil to replace current imports from the Persian Gulf for 60 years and produce gasoline for 116 million cars for 15 years. And these are conservative estimates, since these are largely unexplored. There is going to be drilling off this area because Cuba and China are already making plans to drill 47½ miles off Florida in those rich gulf reserves. It seems to me that we should take advantage of those reserves.

While people talk about the pollution that comes from drilling, many of the problems have been overstated. According to the 2002 National Academy of Sciences report, the largest cause of pollution is from nature. Shown by this chart, 60 percent of the pollution to our shores is by nature itself. So the best way we prevent the number one cause of pollution to our shores is to eliminate this and drill for it.

Boating. All those boats off the shores of our coasts are producing 32 percent of the oil seepage. Tankers from the Middle East are 3 percent. And offshore drilling only accounts for 2 percent of the pollution to our shores.

□ 1515

It obviously makes sense to drill offshore, Mr. Chairman, because nature is the primary cause of the pollution to our beaches.

When Katrina and Rita hit the gulf coast this last year, over 100 platforms were damaged. But seepage from the Gulf of Mexico almost did not exist be-

cause the valves and the pumps for these offshore rigs were shut off immediately. So it seemed that opening up these areas would be an obvious choice.

We are the only major industrial power in the world that has this silly rule about not drilling offshore. They drill in the North Sea and around the world, and they do so safely. It is important that we use some common sense.

Americans worry about skyrocketing energy prices and lack of energy and want solutions. A decision where we drill is going to have to be made and made very soon by Americans. This is a price issue, but it is also a national security issue. Those who say "no" to offshore drilling have no solutions to this problem. We can drill offshore safely, environmentally correct; and when we get over the fear factor and take control of our own energy needs, this country will be better off.

I yield 1 minute to Mr. GREEN from Texas.

Mr. GENE GREEN of Texas. Mr. Chairman, Members, I want to thank my colleague for yielding me a minute. I support his amendment. Obviously, I think that would be the ideal provision we need to do to eliminate that moratorium. The committee, I think, has struck a compromise on natural gas, although Congressman POE and I know the difficulties of just drilling for one substance over the other. But obviously I support the amendment and I think the committee, though, came up with a compromise, and we will fight that battle later.

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

Mr. TAYLOR of North Carolina. I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I certainly understand the politics of petroleum. But I represent Florida, and I represent the coast that we consider a valuable resource for tourism, the environment, the ecology.

Let me remind my colleagues the area that they are proposing to drill both oil and natural gas wells has recently been referred to as Hurricane Alley. The gulf coast, we all know now, after Katrina, is responsible for 25 percent of U.S. production of natural gas. Following Katrina and Rita, almost 75 percent of the natural gas production in the gulf was shut down and not producing.

As of May 3, almost 13 percent of natural gas production in the Gulf of Mexico was still offline 9 months later. So it begs the question, why would you put more rigs in a vulnerable place?

Now, I understand some States like drilling, like oil and like offshore rigs. And my question, or my statement, to you is, have at it. But I do want to have the opportunity as a Floridian to defend ourselves from having oil drilling rigs off our coastline.

Several Governors are opposed to the provisions, including Governor Schwarzenegger; my own Governor

Bush who sent a letter to the Speaker just yesterday; Governor Mark Sanford, our former colleague from South Carolina; Democrat Governor Corzine of New Jersey; Mike Easley of North Carolina; and Ted Kulongoski of Oregon. Our delegation remains strongly opposed to drilling for oil and gas in this very, very vulnerable area.

Let me tell you the infrastructure problems suffered by our recent hurricanes. A Congressional Budget Office study estimated that gulf energy infrastructure repair costs will be between \$18 billion and \$31 billion, just from the damages the hurricane created. So let's build some more rigs in this very vulnerable area.

I mentioned the responsibility of natural gas. The gulf has 30 percent of U.S. crude oil production, again another reason we do not want to endanger our coastline. Again, 9 months later, almost 22 percent remain offline.

So I urge defeat of this amendment, removal of the Peterson amendment from this appropriation bill, and let us do something right and not simply succumb to the politics of convenience on energy prices.

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

I would like to point out to my friend from Florida, we just respectfully disagree. But he has made the argument for why we need to drill somewhere other than the gulf coast. Rita and Katrina basically shut down all the rigs in the gulf coast. Twenty-two percent of the refineries in the United States come from my district. They were shut down for weeks. That is 20 percent of the gasoline for the rest of the United States. We drill in one area. We drill in Hurricane Alley, as Mr. FOLEY has pointed out. We need to drill off even the sacred west coast of California and off the east coast because there is oil and natural gas there. We need to open up the moratoriums that this Congress has put on us. The American people are demanding answers. They want cheaper gasoline, but yet we refuse to take care of ourselves.

I urge adoption of this amendment which will allow or release the restrictions and then we can start drilling where there is oil and natural gas to take care of ourselves. The hurricanes proved we can do it safely and securely without damage to the environment.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise in opposition to this amendment. In my home State of New Jersey, tourism supports nearly 500,000 jobs and indirectly generates \$16.6 billion in wages and \$5.5 billion in State tax revenues. Much of that enormous economic engine is driven by our coastline which we have worked hard to protect.

All it takes is one incident from an industrial drilling rig sitting in the

ocean to put this entire economic engine at risk. What this amendment would do is open up OCS areas as close as 3 miles from shore to drilling. There is no buffer here, no minimum barrier. If we pass this amendment, we can see drilling rigs as close as 3 miles from our shores. And for what?

This will do nothing for the price of oil. It takes up to 7 years to begin producing from an offshore lease.

And I would also like to know why the oil industry is so keen on getting these areas open for drilling when they have thousands of leases already in place, both onshore and offshore that they haven't bothered to explore.

Mr. Chairman, our coasts are simply too valuable to risk like this. If we had to do a balancing act, there is no way you could support this amendment.

I urge a "no" vote on this amendment. Vote to protect our coasts.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield for the purpose of making a unanimous-consent request to the gentleman from Washington.

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

Mr. DICKS. I just want to rise in opposition to the amendment and in support of the position taken by the chairman and the committee.

Mr. TAYLOR of North Carolina. I yield 1 minute to the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. Mr. Chairman, I rise in strong opposition to the Poe amendment, and I would like to set the record straight. This current ban on new drilling is actually two moratoria, one of which is enacted by Congress annually through a ban on Federal funding to drill for oil in areas now off limits.

In addition, there is a complementary moratorium put into place originally in 1991 through an executive moratorium by George H. W. Bush, extended till 2012 by Bill Clinton, embraced by the current President in his current 2007 budget.

The provision in the Interior bill and in the Poe amendment eliminate the annual congressional moratoria. It doesn't end the Presidential moratorium. However, the President certainly has the authority to revise or revoke his existing Presidential moratorium before 2012.

I am not a betting person, but I would wager that if Congress eliminates the moratorium through this legislation and encourages the President to do the same, he is going to revoke the Presidential moratorium. Why not? Drilling advocates will argue that the people, through Congress, have spoken in favor of new drilling; and when that Presidential moratorium is revoked, it would mean an immediate end to the ban on new drilling in waters off our coastal States.

It is not just coincidental this amendment is coming up just as the next 5-year plan is being enacted. This would happen right away.

Mr. TAYLOR of North Carolina. I yield 1 minute to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, this is not some political issue. This is serious business. You are dealing with some of the most fragile marine ecosystems in the world. This moratorium was put on here for a good reason. And I mentioned earlier during general debate, it has evolved into a workable, effective protection for those ecosystems.

The ecology of some of those Florida waters is just unbelievable. Now, the authorizing committee has been working on this issue for several months trying to come up with a good answer, a good responsible answer. Now, this is being offered without any hearings by the subcommittee, no hearings by full committees, just as a whim to accomplish something that some special interests want to see accomplished. This is not good government. This is a bad amendment, and we need to be very careful about what we do, not only on this amendment today, but on the Peterson amendment that we will deal with later.

The CHAIRMAN. All time for debate pursuant to the unanimous consent request has expired.

The question is on the amendments offered by the gentleman from Texas (Mr. POE).

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

Mr. POE. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

SEC. 107. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities, except that total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 108. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2007. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 109. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation:

(1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 110. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 111. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail, and funds provided in division E of Public Law 108-447 (118 Stat. 3050) for land acquisition at the Niobrara National Scenic River, may be used for a grant to a State, a local government, or any other land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 112. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 113. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 114. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 115. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 116. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 117. (a) IN GENERAL.—Nothing in section 134 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (115 Stat. 443) affects the decision of the United States Court of Appeals for the 10th Circuit in *Sac and Fox Nation v. Norton*, 240 F.3d 1250 (2001).

(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming under the Indian Gaming Regulatory Act

(25 U.S.C. 2701 et seq.) on land described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary of the Interior.

SEC. 118. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 119. Notwithstanding the limitation in subparagraph (2)(B) of section 18(a) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)), in fiscal year 2008, the total amount of all fees imposed by the National Indian Gaming Commission shall not exceed \$13,000,000.

SEC. 120. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or the implementation of the "To Be" Model, funds appropriated for fiscal year 2007 shall be available to the tribes within the California Tribal Trust Reform Consortium and to the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in fiscal year 2003. This Demonstration Project shall continue to operate separate and apart from the Department of the Interior's trust reform and reorganization and the Department shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in 25 U.S.C. 458aa-458hh. The California Trust Reform Consortium and any other participating tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior. The Consortium shall demonstrate to the satisfaction of the Secretary that they have the capability to do so. The Department shall provide funds to the tribes in an amount equal to that required by 25 U.S.C. 458cc(g)(3), including funds specifically or functionally related to the provision of trust services to the tribes or their members.

SEC. 121. Notwithstanding any provision of law, including 42 U.S.C. 4321 et seq., non-renewable grazing permits authorized in the Jarbidge Field Office, Bureau of Land Management within the past 9 years, shall be renewed. The Animal Unit Months authorized in any nonrenewable grazing permit between March 1, 1997, and February 28, 2005, shall continue in effect under the renewed permit. Nothing in this section shall be deemed to extend the renewed permit beyond the standard 1-year term.

SEC. 122. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

SEC. 123. Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108-108.

SEC. 124. Notwithstanding any other provision of law, the National Park Service final winter use rules published in Part VII of the Federal Register for November 10, 2004, 69 Fed. Reg. 65348 et seq., shall be in force and effect for the winter use season of 2006-2007 that commences on or about December 15, 2006.

SEC. 125. None of the funds in this or any other Act may be used to set up Centers of Excellence and Partnership Skills Bank training without prior approval of the House and Senate Committees on Appropriations.

#### TITLE II—ENVIRONMENTAL PROTECTION AGENCY

##### SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$808,044,000, to remain available until September 30, 2008.

##### ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; and not to exceed \$9,000 for official reception and representation expenses, \$2,336,442,000, to remain available until September 30, 2008, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$35,100,000, to remain available until September 30, 2008: *Provided*, That in fiscal year 2007 and thereafter, notwithstanding any other provision of law, the Inspector General

shall not serve as the Inspector General for the Chemical Safety and Hazard Investigation Board.

#### BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$39,816,000, to remain available until expended.

#### HAZARDOUS SUBSTANCE SUPERFUND (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; \$1,256,855,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2006, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,256,855,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, \$13,316,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2008, and \$30,011,000 shall be transferred to the "Science and Technology" appropriation to remain available until September 30, 2008.

#### LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$72,759,000, to remain available until expended.

#### OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$16,506,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

#### STATE AND TRIBAL ASSISTANCE GRANTS (INCLUDING RESCISSION OF FUNDS)

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,007,348,000 to remain available until expended, of which \$687,555,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"); of which up to \$50,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-municipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; \$841,500,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drink-

ing Water Act, as amended; \$24,750,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico border, after consultation with the appropriate border commission; \$14,850,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages: *Provided*, That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (3) the State of Alaska shall make awards consistent with the State-wide priority list established in 2004 for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; \$200,000,000 shall be for making special project grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; \$89,119,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; \$26,000,000 shall be for the national grant and loan program authorized by section 792 of the Energy Policy Act of 2005 for the National Clean Diesel Initiative; and \$1,122,584,000 shall be for grants, including associated program support costs, to States, federally-recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which \$49,495,000 shall be for carrying out section 128 of CERCLA, as amended, \$14,850,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, not less than \$18,500,000 of the funds available for grants under section 106 of the Act shall be for the water quality monitoring initiative that meet EPA standards for statistically representative monitoring programs, \$17,567,000 to make grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended, and to federally-recognized tribes under Public Law 105-276, and to provide financial assistance to States and federally-recognized tribes for the purposes authorized by Title XV, Subtitle B of the Energy Policy Act of 2005, with the exception of leaking underground storage tank cleanup activities that are authorized by section 205 of Superfund Amendments and Reauthorization Act of 1986, and \$15,930,000 shall be for making competitive targeted watershed grants: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by

a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2007 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2007, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to federally-recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2007, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of that Act: *Provided further*, That no funds provided by this Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: *Provided further*, That of the funds made available under this heading in Division I of Public Law 108-447, \$500,000 is for Monticello, AR water and wastewater infrastructure improvements and \$500,000 is for Pine Bluff, AR water and wastewater infrastructure improvements: *Provided further*, That funds that were appropriated under this heading for special project grants in fiscal year 2001 or earlier that have not been obligated on an approved grant by September 1, 2007, are rescinded.

□ 1530

#### AMENDMENT OFFERED BY MR. TAYLOR OF NORTH CAROLINA

Mr. TAYLOR of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of North Carolina:

On page 67, line 2, strike "\$3,007,348,000" and insert in lieu thereof "\$3,009,348,000".

On page 69, line 2, strike "\$26,000,000" and insert in lieu thereof "\$28,000,000".

Mr. TAYLOR of North Carolina. Mr. Chairman, this amendment would increase the EPA State and Tribal Assistance Grants account by \$2 million for the National Clean Diesel Initiative. This is an important initiative that was authorized by the Energy Policy Act of 2005. These funds will be used to retrofit school buses and heavy duty trucks and contribute significantly to reducing harmful emissions into the air.

I urge a "yes" vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. TAYLOR).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

## ADMINISTRATIVE PROVISIONS

For fiscal year 2007, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003), as amended.

None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

By December 31, 2006, EPA shall finalize a rule for the Federal Water Pollution Control Act, as amended, section 106 (Water Pollution Control) grants that incorporates financial incentives for States that implement adequate National Pollutant Discharge Elimination System fee programs.

## POINT OF ORDER

Mr. DUNCAN, Mr. Chairman, I raise a point of order against the paragraph.

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

Mr. DUNCAN, Mr. Chairman, on behalf of the Transportation and Infrastructure Committee, I raise a point of order against the provision beginning on page 73, line 3 and ending on line 8.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair finds that this paragraph includes language imparting direction to the Executive.

The paragraph therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the paragraph is stricken from the bill.

## AMENDMENT OFFERED BY MR. PALLONE

Mr. PALLONE, Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PALLONE:

On page 73 after line 2 insert the following: None of the funds made available in this Act may be used to promulgate in final form, issue, implement, or enforce the Environmental Protection Agency's Toxics Release Inventory Burden Reduction Proposed Rule published in the Federal Register on October 4, 2005 (Volume 70, Number 191) at pages 57822 and following or the Toxics Release Inventory 2006 Burden Reduction Proposed Rule published in the Federal Register on October

4, 2005 (Volume 70, Number 191) at pages 57871 through 57872.

Mr. PALLONE, Mr. Chairman, I am introducing this amendment with the gentlewoman from California (Ms. SOLIS) to protect local communities' rights to know what toxic chemicals are being dumped in their backyards.

Eighteen years ago Congress passed the Emergency Planning and Community Right-to-Know Act, which established the Toxics Release Inventory Program. This simple program does not force companies to reduce the amount of toxic chemicals they use. Rather, it requires that they disclose the types and amounts of chemicals used at a particular facility and how those substances were disposed of, recycled, or released into the environment.

This critical disclosure requirement lets communities know specifically how much of which chemicals are being dumped where. For citizens concerned about their health, this information can be critical. It is also valuable to a host of other constituencies, including workers who could be affected on the job site, first responders and others who need to plan for incidents at specific facilities.

Not only does the program provide this important information to those who need it, it also has been extremely successful at getting companies to voluntarily reduce their toxic releases. Since the program started, overall toxic releases are down 59 percent around the country.

In fact, the chemical industry themselves think this is a good program. Earlier this year the Washington Post quoted Michael Walls, manager of Regulatory and Technical Affairs for the American Chemistry Council, saying, "It's one of the most successful regulatory programs we have been involved in."

Unfortunately, Mr. Chairman, the EPA does not seem to agree. Last year they proposed a set of changes that would seriously undermine the intent of the program.

First, they are proposing to eliminate reporting for more than 22,000 facilities that release up to 5,000 pounds of toxic chemicals every year. These facilities would switch to a simple form merely indicating what chemicals they have on site, not how they are released and in what quantities.

Second, the EPA is proposing to eliminate the same type of detailed reporting from facilities that manage up to 500 pounds per year of persistent bioaccumulative chemicals, some of the deadliest substances used in industry today. These chemicals, which include mercury and lead, can cause serious harm even in tiny quantities.

And, third, EPA is proposing to require that companies report only every other year rather than every year as the program currently requires. This final change makes the least sense of all. EPA themselves point out that data for certain chemicals can swing widely from year to year depending on

the actions of one particular facility such as a large mining operation.

The EPA would gut the intent of the TRI program, and I would like to remind my colleagues that this program was created in the wake of the Bhopal disaster in India, where an explosion at a Union Carbide facility more than 20 years ago killed thousands. We have the program so we know where we might have the potential for another Bhopal, but also so we know where slow, silent releases of toxic chemicals could pose serious threats to public health.

So I would like to emphasize again to my colleagues that our amendment is really about protecting community right to know. It is about standing up for the principle that your constituents should be able to find out what toxic chemicals might be getting dumped in area streams, pumped out into the air, or trucked to a nearby landfill. And it is also about protecting a highly successful program, one of the few that has been consistently recognized even by industry as being effective and worthwhile.

So, again, I ask that my colleagues join me in supporting this amendment, and I would like to thank Chairman TAYLOR for being open to discuss this issue, and I hope that we can continue to work together.

Mr. TIAHRT, Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this proposal, this amendment, and I want to tell you it is really difficult for me to see us put more and more barriers in the way of keeping and creating jobs in America.

What the gentleman is doing with his amendment is striking language that will allow reforms to the Toxic Release Inventory annual reporting requirements. The reason it is important is because it directly affects small businesses. In fact, it has a tremendously greater impact on small businesses than it does on large businesses.

There was an example given by W. Mark Crain in a report called The Impact of Regulatory Costs on Small Firms. It was done by the Small Business Administration Advocacy Group, the overall regulatory burden was, as estimated by Mr. Crain, to exceed \$1.1 trillion in 2004. The costs have gone up since then. But for manufacturing firms of fewer than 20 employees, the annual regulatory burden of 2004 was \$21,919 per employee, two and a half times greater than the \$8,748 burden per employee with firms of 500 or more employees. So by striking this language, you target the small businesses, and in Kansas small businesses are four out of five jobs. So this is a direct assault on the jobs in America because it raises costs making us less competitive.

Now, the EPA has followed the proper process of reforms. In response to the continuing calls for this Toxic Release Inventory annual reporting system, EPA conducted stakeholders outreach meetings in 2003. It took public



comments in 2003 and 2004 on possible reporting reforms. The EPA subsequently proposed and revised a Form A and took additional public comments on that proposal, and they came up with a plan that works. It alleviates the burden and it still has 99 percent of the current information now reported on a different form, on Form R. This is going to reduce the cost for small businesses. It is going to allow us to continue to have the reporting on these toxic release inventories.

But let me just tell you the impact on one of the local small businesses. Nancy Klinefelter is president of Baltimore Glassware Decorators. Her small business specializes in printing small quantities of custom glass and ceramicware for special occasions. Some of Nancy's work can even be found in the House Gift Shop right here. When they print these mugs or glasses for customers, they sometimes use lead-bearing colors on the outside surfaces. These colors are expensive; so they use only a minimal amount of paint needed, which reduces waste, and the finishing process ensures that none of the lead leaches out. So their products are completely safe for anyone who uses them. I am even told that the EPA sells her products in their gift shop. But because of this Toxic Release Inventory lead rule, Nancy's business is forced to compile daily records on how much color is used for the mugs because the colors contain a very small amount of lead. Each year her small business then has to report to the EPA how much lead has been used. This may sound like some innocuous rule, but the truth is it costs Nancy \$7,000 annually. When you add up all the other small businesses, it is over \$70 million every year.

And what do Americans get for this? Do they get cleaner air? No. Do they get less lead being used? No. Is there less exposure to lead by children because of this? No. The answer is none of these things. All the American people get are thousands of reports on estimates on how much lead is being used. Many reports are never read, and our air is not any cleaner. The average citizen does not gain any public health benefits. Instead, small businesses have to comply with the EPA reporting rule and are literally wasting tens of millions of dollars every year, and it is costing us good-paying jobs. These jobs end up in other countries, offshore.

Rather than focussing on reducing the real pollution and focusing on real pollution cleanup, EPA has to spend an inordinate amount of time on these small reports that nobody ever uses. Now, with an average cost of \$21,919 per employee for small businesses that have less than 20 employees, is a lot of money. It could be reinvested and create more jobs. But, instead, it is just reporting paperwork that piles up.

The gentleman has good intents on having clean air and clean water, a clean environment, and I support that. But striking this language will not

make the environment any cleaner. It will only cost us jobs. Again, ninety-nine percent of the same information will still be reported under the reforms conducted by EPA and put in place correctly by EPA.

So for that reason I rise in opposition to the gentleman's proposal, and I encourage all my colleagues to vote against this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

The amendment would block the EPA from changing the reporting requirements for toxic releases. I appreciate the proponent's concerns that the information on toxic releases should be reported in a timely manner and that this information should be publicly available. These concerns are shared by many State and local officials.

On the other hand, I believe that some accommodation should be made by EPA for small businesses that have no toxic releases or have only trace amounts of toxic releases.

I am prepared to accept the amendment today with the understanding that we will work with EPA to determine how we can accomplish the amendment's goals without placing unnecessary reporting burdens on businesses that release no toxics or have only trace amounts.

I commend the amendment's authors for pursuing this and look forward to working with EPA on that matter.

□ 1545

The Acting CHAIRMAN (Mr. FOLEY). The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

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

Mr. PENCE. Mr. Chairman, I demand a recorded vote.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. FOLEY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5386, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5386 in the Committee of the Whole pursuant to House Resolution 818, notwithstanding clause 11 of rule XVIII, no further amendments to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 1 and 7;

The amendment printed in the RECORD and numbered 6, which shall be debatable for 20 minutes;

An amendment by Mr. PUTNAM regarding a moratorium on drilling in the OCS, which shall be debatable for 60 minutes;

An amendment by Mr. CHABOT regarding a limitation on funds for roads in the Tongass National Forest, which shall be debatable for 20 minutes;

An amendment by Mr. OBERSTAR regarding a limitation on funds for activities under the Clean Water Act, which shall be debatable for 30 minutes;

An amendment by Mr. HINCHEY regarding a limitation on funds for suspension of royalty relief, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY or Mr. DICKS addressing global climate change by modifying the amount provided for EPA Environmental Programs and Management, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY regarding funding increases for various accounts with a tax offset;

An amendment by Mr. TIAHRT regarding business competitiveness;

An amendment by Mr. GARY MILLER of California regarding the San Gabriel Watershed;

An amendment by Mr. CONAWAY regarding EPA drinking water regulations for arsenic;

An amendment by Mr. GORDON regarding Federal building energy use;

An amendment by Ms. JACKSON-LEE of Texas regarding a limitation on funds for urban reforestation;

An amendment by Ms. JACKSON-LEE of Texas regarding a limitation on funds on Smithsonian outreach programs;

An amendment by Mr. GARRETT of New Jersey regarding Federal employee travel to conferences;

An amendment by Mr. DENT regarding a limitation on funds to enforce the Indian Gaming Regulatory Act;

An amendment by Mr. ANDREWS regarding Forest Service salaries and expenses;

An amendment by Mr. MEEHAN regarding EPA national emissions standards;