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

NOES—175

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

NOT VOTING—17

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

□ 1411

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

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

The form of the motion is as follows:

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

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

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

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

There was no objection.

CONSERVATION AND ECONOMIC GROWTH ACT

GENERAL LEAVE

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

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 688 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2578.

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

□ 1415

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes, with Mr. BASS of New Hampshire in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from Washington.

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1420

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

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

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

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

I reserve the balance of my time.

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

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

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

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

Submitted for your consideration are the following facts:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1430

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

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

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

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

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

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

The CHAIR. The time of the gentleman has expired.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1440

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The CHAIR. The time of the gentleman has expired.

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

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

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

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

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

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

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

Mr. YOUNG of Alaska. Will the gentlelady yield?

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

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

The CHAIR. The gentlewoman from Connecticut controls the time.

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

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

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

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

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

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

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

ANNOUNCEMENT BY THE CHAIR

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

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

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

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

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

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

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

□ 1450

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

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

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

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

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

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

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

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

Mr. HOLT. I thank the gentleman very much.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1500

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Re H.R. 1545.

Congressman BILL FLORES,
Longworth HOB, Washington, DC.

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

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

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

Sincerely,

MALCOLM DUNCAN, Jr.,
Mayor.

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

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

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

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

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

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

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

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

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

I urge my colleagues to support this commonsense legislation.

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

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

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

□ 1510

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

With that, I reserve the balance of my time.

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

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

Would the chairman enter into a brief colloquy with me?

Mr. HASTINGS of Washington. Yes.

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

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

Mr. CANSECO. Thank you, Mr. Chairman.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

With that, I encourage its passage.

□ 1520

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

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

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

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

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

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

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I reserve the balance of my time.

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

Mr. HERGER. Thank you, Mr. Chairman.

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

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

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

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

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

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

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

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

Mr. GRIJALVA. Yes, we are.

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

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

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

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

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

That unfettered and unabridged access will solve problems.

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

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

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

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

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

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

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

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

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

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

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

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

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

That's right.

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

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

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

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

We must protect it.

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

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

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

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

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

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

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

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

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

The CHAIR. All time for general debate has expired.

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

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

H.R. 2578

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

SECTION 1. SHORT TITLE.

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

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—LOWER MERCED RIVER

SEC. 101. LOWER MERCED RIVER.

(a) WILD AND SCENIC RIVERS ACT.—Section 3(a)(62)(B)(i) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(62)) is amended—

(1) by striking ''the normal maximum'' the first place that it appears and all that follows through ''April, 1990.'' and inserting the following: ''the boundary of FERC Project No. 2179 as it existed on July 18, 2011, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River, consisting of approximately 7.4 miles.''; and

(2) by striking ''the normal maximum operating pool water surface level of Lake McClure'' the second time that it occurs and inserting ''the boundary of FERC Project No. 2179 as it existed on July 18, 2011, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River''.

(b) EXCHEQUER PROJECT.—Section 3 of Public Law 102–432 is amended by striking ''Act:'' and all that follows through the period and inserting ''Act.''.

TITLE II—BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Bonneville Unit Clean Hydropower Facilitation Act''.

SEC. 202. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this title, the term ''Diamond Fork System'' means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 203. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102–575), and shall be subject to the same terms and conditions.

SEC. 204. NO PURCHASE OR MARKET OBLIGATION; NO COSTS ASSIGNED TO POWER.

Nothing in this title shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 205. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 206. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this title, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 207. PAYGO.

The budgetary effects of this title, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this title, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 208. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98–381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this title.

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

SEC. 301. SHORT TITLE.

This title may be cited as the ''Southeast Alaska Native Land Entitlement Finalization and Jobs Protection Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) CONSERVATION SYSTEM UNIT.—The term ''conservation system unit'' has the meaning given the term in section 102 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102).

(2) SEALASKA.—The term ''Sealaska'' means the Sealaska Corporation, a Regional Native Corporation created under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 303. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1)(A) in 1971, Congress enacted the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to recognize and settle the aboriginal claims of Alaska Natives to land historically used by Alaska Natives for traditional, cultural, and spiritual purposes; and

(B) that Act declared that the land settlement ''should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives'';

(2) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)—

(A) authorized the distribution of approximately $1,000,000,000 and 44,000,000 acres of land to Alaska Natives; and

(B) provided for the establishment of Native Corporations to receive and manage the funds and that land to meet the cultural, social, and economic needs of Native shareholders;

(3) under section 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611), each Regional Corporation, other than Sealaska (the Regional Corporation for southeast Alaska), was authorized to receive a share of land based on the proportion that the number of Alaska Native shareholders residing in the region of the Regional Corporation bore to the total number of Alaska Native shareholders, or the relative size of the area to which the Regional Corporation had an aboriginal land claim bore to the size of the area to which all Regional Corporations had aboriginal land claims;

(4)(A) Sealaska, the Regional Corporation for southeast Alaska, 1 of the Regional Corporations with the largest number of Alaska Native shareholders, with more than 21 percent of all original Alaska Native shareholders, received less than 1 percent of the lands set aside for Alaska Natives, and received no land under section 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611);

(B) the Tlingit and Haida Indian Tribes of Alaska was 1 of the entities representing the Alaska Natives of southeast Alaska before the date of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

(C) Sealaska did not receive land in proportion to the number of Alaska Native shareholders, or in proportion to the size of the area to which Sealaska had an aboriginal land claim, in part because of a United States Court of Claims cash settlement to the Tlingit and Haida Indian Tribes of Alaska in 1968 for land previously taken to create the Tongass National Forest and Glacier Bay National Monument;

(5) the 1968 Court of Claims cash settlement of $7,500,000 did not—

(A) adequately compensate the Alaska Natives of southeast Alaska for the significant quantity of land and resources lost as a result of the creation of the Tongass National Forest and Glacier Bay National Monument or other losses of land and resources; or

(B) justify the significant disparate treatment of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1611) in 1971;

(6)(A) while each other Regional Corporation received a significant quantity of land under sections 12 and 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611, 1613), Sealaska only received land under section 14(h) of that Act (43 U.S.C. 1613(h));

(B) section 14(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)) authorized the Secretary to withdraw and convey 2,000,000-acres of ''unreserved and unappropriated'' public lands in Alaska from which Alaska Native selections could be made for historic sites, cemetery sites, Urban Corporation land, Native group land, and Native Allotments;

(C) under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), after selections are made under paragraphs (1) through (7) of that section, the land remaining in the 2,000,000-acre land pool is allocated based on the proportion that the original Alaska Native shareholder population of a Regional Corporation bore to the original Alaska Native shareholder population of all Regional Corporations;

(D) the only Native land entitlement of Sealaska derives from a proportion of leftover land remaining from the 2,000,000-acre land pool, estimated as of the date of enactment of this Act at approximately 1,700,000 acres;

(E) because at the time of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) all public land in the Tongass National Forest had been reserved for purposes of creating the national forest, the Secretary was not able to withdraw any public land in the Tongass National Forest for selection by and conveyance to Sealaska;

(F) at the time of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) other public lands in southeast Alaska not located in the Tongass National Forest were not suitable for selection by and conveyance to Sealaska because such lands were located in Glacier Bay National Monument, were included in a withdrawal effected pursuant to section 17(d)(2) of that Act (43 U.S.C. 1616(d)(2)) and slated to become part of the Wrangell-St. Elias National Park, or essentially consisted of mountain tops;

(G) Sealaska in 1975 requested that Congress amend the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to permit the Regional Corporation to select lands inside of the withdrawal areas established for southeast Alaska Native villages under section 16 of that Act (43 U.S.C. 1615); and

(H) in 1976, Congress amended section 16 of the Alaska Native Claims Settlement Act (43 U.S.C. 1615) to allow Sealaska to select lands under section 14(h)(8) of that Act (43 U.S.C. 1613(h)(8)) from land located inside, rather than outside, the withdrawal areas established for southeast Alaska Native villages;

(7) the 10 Alaska Native village withdrawal areas in southeast Alaska surround the Alaska Native communities of Yakutat, Hoonah, Angoon, Kake, Kasaan, Klawock, Craig, Hydaburg, Klukwan, and Saxman;

(8)(A) the existing conveyance requirements of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) for southeast Alaska limit the land eligible for conveyance to Sealaska to the original withdrawal areas surrounding 10 Alaska Native villages in southeast Alaska, which precludes Sealaska from selecting land located—

(i) in any withdrawal area established for the Urban Corporations for Sitka and Juneau, Alaska; or

(ii) outside the 10 Alaska Native village withdrawal areas; and

(B) unlike other Regional Corporations, Sealaska is not authorized to request land located outside the withdrawal areas described in subparagraph (A) if the withdrawal areas are insufficient to complete the land entitlement of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(9)(A) the deadline for applications for selection of cemetery sites and historic places on land outside withdrawal areas established under section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) was July 1, 1976;

(B)(i) as of that date, the Bureau of Land Management notified Sealaska that the total entitlement of Sealaska would be approximately 200,000 acres; and

(ii) Sealaska made entitlement allocation decisions for cultural sites and economic development sites based on that original estimate; and

(C) as a result of the Alaska Land Transfer Acceleration Act (Public Law 108–452; 118 Stat. 3575) and subsequent related determinations and actions of the Bureau of Land Management, it became clear within the last decade that Sealaska will receive significantly more than 200,000 acres pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(10) in light of the revised Bureau of Land Management estimate of the total number of acres that Sealaska will receive pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), and in consultation with Members of Alaska's congressional delegation, Sealaska and its shareholders believe that it is appropriate to allocate more of the entitlement of Sealaska to—

(A) the acquisition of places of sacred, cultural, traditional, and historical significance;

(B) the acquisition of sites with traditional and recreational use value and sites suitable for renewable energy development; and

(C) the acquisition of lands that are not within the watersheds of Native and non-Native communities and are suitable economically and environmentally for natural resource development;

(11)(A) pursuant to section 11(a)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1610(a)(1)), Sealaska was not authorized to select under section 14(h)(1) of that Act (43 U.S.C. 1613(h)(1)) any site within Glacier Bay National Park, despite the abundance of cultural sites within that Park;

(B) Sealaska seeks cooperative agreements to ensure that cultural sites within Glacier Bay National Park are subject to cooperative management by Sealaska, Village and Urban Corporations, and federally recognized tribes with ties to the cultural sites and history of the Park; and

(C) Congress recognizes that there is an existing Memorandum of Understanding (MOU) between the Park Service and the Hoonah Indian Association, and does not intend to circumvent the MOU; rather the intent is to ensure that this and similar mechanisms for cooperative management in Glacier Bay are required by law;

(12)(A) the cemetery sites and historic places conveyed to Sealaska pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) are subject to a restrictive covenant not required by the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that hinders the ability of Sealaska to use the sites for cultural, educational, or research purposes for Alaska Natives and others;

(B) historic sites managed by the Forest Service are not subject to the limitations referred to in subparagraph (A); and

(C) Alaska Natives of southeast Alaska should be permitted to use cemetery sites and historic places in a manner that is—

(i) consistent with the sacred, cultural, traditional, or historic nature of the site; and

(ii) not inconsistent with the management plans for adjacent public land;

(13) 44 percent (820,000 acres) of the 10 Alaska Native village withdrawal areas established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) described in paragraphs (7) and (8) are composed of salt water and not available for selection;

(14) of land subject to the selection rights of Sealaska, 110,000 acres are encumbered by gubernatorial consent requirements under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(15) in each withdrawal area, there exist factors that limit the ability of Sealaska to select sufficient land, and, in particular, economically viable land, to fulfill the land entitlement of Sealaska, including factors such as—

(A) with respect to the Yakutat withdrawal area—

(i) 46 percent of the area is salt water;

(ii) 10 sections (6,400 acres) around the Situk Lake were restricted from selection, with no consideration provided for the restriction; and

(iii)(I) 70,000 acres are subject to a gubernatorial consent requirement before selection; and

(II) Sealaska received no consideration with respect to the consent restriction;

(B) with respect to the Hoonah withdrawal area, 51 percent of the area is salt water;

(C) with respect to the Angoon withdrawal area—

(i) 120,000 acres of the area is salt water;

(ii) Sealaska received no consideration regarding the prohibition on selecting land from the 80,000 acres located within the Admiralty Island National Monument; and

(iii)(I) the Village Corporation for Angoon was allowed to select land located outside the withdrawal area on Prince of Wales Island, subject to the condition that the Village Corporation shall not select land located on Admiralty Island; but

(II) no alternative land adjacent to the out-of-withdrawal land of the Village Corporation was made available for selection by Sealaska;

(D) with respect to the Kake withdrawal area—

(i) 64 percent of the area is salt water; and

(ii) extensive timber harvesting by the Forest Service occurred in the area before 1971 that significantly reduced the value of land available for selection by, and conveyance to, Sealaska;

(E) with respect to the Kasaan withdrawal area—

(i) 54 percent of the area is salt water; and

(ii) the Forest Service previously harvested in the area;

(F) with respect to the Klawock withdrawal area—

(i) the area consists of only 5 townships, as compared to the usual withdrawal area of 9 townships, because of the proximity of the Klawock withdrawal area to the Village of Craig, which reduces the selection area by 92,160 acres; and

(ii) the Klawock and Craig withdrawal areas are 35 percent salt water;

(G) with respect to the Craig withdrawal area, the withdrawal area consists of only 6 townships, as compared to the usual withdrawal area of 9 townships, because of the proximity of the Craig withdrawal area to the Village of Klawock, which reduces the selection area by 69,120 acres;

(H) with respect to the Hydaburg withdrawal area—

(i) 36 percent of the area is salt water; and

(ii) Sealaska received no consideration under the Haida Land Exchange Act of 1986 (Public Law No. 99–664; 100 Stat. 4303) for relinquishing selection rights to land within the withdrawal area that the Haida Corporation exchanged to the Forest Service;

(I) with respect to the Klukwan withdrawal area—

(i) 27 percent of the area is salt water; and

(ii) the withdrawal area is only 70,000 acres, as compared to the usual withdrawal area of 207,360 acres, which reduces the selection area by 137,360 acres; and

(J) with respect to the Saxman withdrawal area—

(i) 29 percent of the area is salt water;

(ii) Sealaska received no consideration for the 50,576 acres within the withdrawal area adjacent to the first-class city of Ketchikan that were excluded from selection;

(iii) Sealaska received no consideration with respect to the 1977 amendment to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) requiring gubernatorial consent for selection of 58,000 acres in that area; and

(iv) 23,888 acres are located within the Annette Island Indian Reservation for the Metlakatla Indian Tribe and are not available for selection;

(16) the selection limitations and guidelines applicable to Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)—

(A) are inequitable and inconsistent with the purposes of that Act because there is insufficient land remaining in the withdrawal areas to meet the traditional, cultural, and socio-economic needs of the shareholders of Sealaska; and

(B) make it difficult for Sealaska to select—

(i) places of sacred, cultural, traditional, and historical significance;

(ii) sites with traditional and recreation use value and sites suitable for renewable energy development; and

(iii) lands that meet the real economic needs of the shareholders of Sealaska;

(17) unless Sealaska is allowed to select land outside designated withdrawal areas in southeast Alaska, Sealaska will not be able to—

(A) complete the land entitlement selections of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) in a manner that meets the cultural, social, and economic needs of Native shareholders;

(B) avoid land selections in watersheds that are the exclusive drinking water supply for regional communities, support world class salmon streams, have been identified as important habitat, or would otherwise be managed by the Forest Service as roadless and old growth forest reserves;

(C) secure ownership of places of sacred, cultural, traditional, and historical importance to the Alaska Natives of southeast Alaska; and

(D) continue to support forestry jobs and economic opportunities for Alaska Natives and other residents of rural southeast Alaska;

(18)(A) the rate of unemployment in southeast Alaska exceeds the statewide rate of unemployment on a non-seasonally adjusted basis;

(B) in January 2011, the Alaska Department of Labor and Workforce Development reported the unemployment rate for the Prince of Wales—Outer Ketchikan census area at approximately 16.2 percent;

(C) in October 2007, the Alaska Department of Labor and Workforce Development projected population losses between 1996 and 2030 for the Prince of Wales—Outer Ketchikan census area at 56.6 percent;

(D) official unemployment rates severely underreport the actual level of regional unemployment, particularly in Native villages; and

(E) additional job losses will exacerbate outmigration from Native and non-Native communities in southeast Alaska;

(19) Sealaska has played, and is expected to continue to play, a significant role in the health of the southeast Alaska economy;

(20) despite the small land base of Sealaska as compared to other Regional Corporations (less than 1 percent of the total quantity of land allocated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), Sealaska has—

(A) provided considerable benefits to Alaska Native shareholders;

(B) supported hundreds of jobs for Alaska Native shareholders and non-shareholders in southeast Alaska for more than 30 years; and

(C) been a significant economic force in southeast Alaska;

(21) pursuant to the revenue sharing provisions of section 7(i) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)), Sealaska has distributed more than $300,000,000 during the period beginning on January 1, 1971, and ending on December 31, 2005, to Native Corporations throughout the State of Alaska from the development of natural resources, which accounts for 42 percent of the total revenues shared under that section during that period;

(22) resource development operations maintained by Sealaska—

(A) support hundreds of jobs in the southeast Alaska region;

(B) make timber available to local and domestic sawmills and other wood products businesses such as guitar manufacturers;

(C) support firewood programs for local communities;

(D) support maintenance of roads utilized by local communities for subsistence and recreation uses;

(E) support development of new biomass energy opportunities in southeast Alaska, reducing dependence on high-cost diesel fuel for the generation of energy;

(F) provide start-up capital for innovative business models in southeast Alaska that create new opportunities for non-timber economic development in the region, including support for renewable biomass initiatives, Alaska Native artisans, and rural mariculture farming; and

(G) support Native education and cultural and language preservation activities;

(23) if the resource development operations of Sealaska cease on land appropriate for those operations, there will be a significant negative impact on—

(A) southeast Alaska Native shareholders;

(B) the cultural preservation activities of Sealaska;

(C) the economy of southeast Alaska; and

(D) the Alaska Native community that benefits from the revenue-sharing requirements under the Alaska Native claims Settlement Act (43 U.S.C. 1601 et seq.);

(24) it is critical that the remaining land entitlement conveyances to Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) are fulfilled to continue to meet the economic, social, and cultural needs of the Alaska Native shareholders of southeast Alaska and the Alaska Native community throughout Alaska;

(25) in order to realize cultural preservation goals while also diversifying economic opportunities, Sealaska should be authorized to select and receive conveyance of—

(A) sacred, cultural, traditional, and historic sites and other places of traditional cultural significance, including traditional and customary trade and migration routes, to facilitate the perpetuation and preservation of Alaska Native culture and history;

(B) other sites with traditional and recreation use value and sites suitable for renewable energy development to facilitate appropriate tourism and outdoor recreation enterprises and renewable energy development for rural southeast Alaska communities; and

(C) lands that are suitable economically and environmentally for natural resource development;

(26) on completion of the conveyances of land of Sealaska to fulfill the full land entitlement of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the encumbrances on 327,000 acres of Federal land created by the withdrawal of land for selection by Native Corporations in southeast Alaska should be removed, which will facilitate thorough and complete planning and efficient management relating to national forest land in southeast Alaska by the Forest Service;

(27) although the Tribal Forest Protection Act (25 U.S.C. 3101 note; Public Law 108–278) defines the term ''Indian tribe'' to include Indian tribes under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), a term which includes ''any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act . . .'', the Tribal Forest Protection Act does not define the term ''Indian forest land or rangeland'' to include lands owned by Alaska Native Corporations, including Sealaska, which are the primary Indian forest land owners in Alaska, and therefore, the Tribal Forest Protection Act should be amended in a manner that will—

(A) permit Native Corporations, including Sealaska, as Indian forest land owners in Alaska, to work with the Secretary of Agriculture under the Tribal Forest Protection Act to address forest fire and insect infestation issues, including the spread of the spruce bark beetle in southeast and southcentral Alaska, which threaten the health of the Native forestlands; and

(B) ensure that Native Corporations, including Sealaska, can participate in programs administered by the Secretary of Agriculture under the Tribal Forest Protection Act without including Native Corporations under the definition in that Act of ''Indian forest land or rangeland'' or otherwise amending that Act in a manner that validates, invalidates, or otherwise affects any claim regarding the existence of Indian country in the State of Alaska; and

(28) the National Historic Preservation Act (16 U.S.C. 470 et seq.) defines the term ''Indian tribe'' to include any ''Native village, Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act'' but does not define the term ''Tribal lands'' to include lands owned by Alaska Native Corporations, thereby excluding from the National Historic Preservation Act cemetery sites and historical places transferred to Native Corporations, including Sealaska, pursuant to the Alaska Native Claims Settlement Act, and therefore, the National Historic Preservation Act should be amended in a manner that will—

(A) permit Native Corporations, including Sealaska, as owners of Indian cemetery sites and historical places in Alaska, to work with the Secretary of the Interior under the National Historic Preservation Act to secure grants and other support to manage their own historic sites and programs pursuant to that Act; and

(B) ensure that Native Corporations, including Sealaska, can participate in programs administered by the Secretary of the Interior under the National Historic Preservation Act without including Native Corporations under the definition in that Act of ''Tribal lands'' or otherwise amending that Act in a manner that validates, invalidates, or otherwise affects any claim regarding the existence of Indian country in the State of Alaska.

(b) PURPOSE.—The purpose of this title is to address the inequitable treatment of Sealaska by allowing Sealaska to select the remaining land entitlement of Sealaska under section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) from designated Federal land in southeast Alaska located outside the 10 southeast Alaska Native village withdrawal areas in a manner that meets the cultural, social, and economic needs of Native shareholders, including the need to maintain jobs supported by Sealaska in rural southeast Alaska communities.

SEC. 304. SELECTIONS IN SOUTHEAST ALASKA.

(a) SELECTION BY SEALASKA.—

(1) IN GENERAL.—Notwithstanding section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), Sealaska is authorized to select and receive conveyance of the remaining land entitlement of Sealaska under that Act (43 U.S.C. 1601 et seq.) from Federal

land located in southeast Alaska from each category described in subsections (b) and (c).

(2) TREATMENT OF LAND CONVEYED.—Land conveyed pursuant to this title are to be treated as land conveyed pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) subject to, but not limited to—

(A) reservation of public easements across land pursuant to section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b));

(B) valid existing rights pursuant to section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)); and

(C) the land bank protections of section 907(d) of the Alaska National Interest and Lands Conservation Act (43 U.S.C. 1636(d)).

(b) WITHDRAWAL OF LAND.—The following public land is withdrawn, subject to valid existing rights, from all forms of appropriation under public land laws, including the mining and mineral leasing laws, and from selection under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508), and shall be available for selection by and conveyance to Sealaska to complete the remaining land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)):

(1) Land identified on the maps dated February 1, 2011, and labeled ''Attachment A (Maps 1 through 8)''.

(2) Sites with traditional, recreational, and renewable energy use value, as identified on the map entitled ''Sites with Traditional, Recreational, and Renewable Energy Use Value'', dated February 1, 2011, and labeled ''Attachment D'', subject to the condition that not more than 5,000 acres shall be selected for those purposes.

(3) Sites identified on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C'', which includes an identification of—

(A) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus and at 8 locations along the route, with the route, location, and boundaries of the conveyance described on the map inset entitled ''Yakutat to Dry Bay Trade and Migration Route'' on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C'';

(B) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus, with the route, location, and boundaries of the conveyance described on the map inset entitled ''Bay of Pillars to Port Camden Trade and Migration Route'' on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C''; and

(C) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus, with the route, location, and boundaries of the conveyance described on the map inset entitled ''Portage Bay to Duncan Canal Trade and Migration Route'' on the map entitled ''Traditional and Customary Trade and Migration Routes'', dated February 1, 2011, and labeled ''Attachment C''.

(c) SITES WITH SACRED, CULTURAL, TRADITIONAL, OR HISTORIC SIGNIFICANCE.—Subject to the criteria and procedures applicable to land selected pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) and set forth in the regulations promulgated at section 2653.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act), except as otherwise provided in this title—

(1) Sealaska shall have a right to identify up to 3,600 acres of sites with sacred, cultural, traditional, or historic significance, including archeological sites, cultural landscapes, and natural features having cultural significance; and

(2) on identification of the land by Sealaska under paragraph (1), the identified land shall be—

(A) withdrawn, subject to valid existing rights, from all forms of appropriation under public land laws, including the mining and mineral leasing laws, and from selection under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508); and

(B) available for selection by and conveyance to Sealaska to complete the remaining land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) subject to the conditions that—

(i) no sites with sacred, cultural, traditional, or historic significance may be selected from within a unit of the National Park System; and

(ii) beginning on the date that is 15 years after the date of enactment of this Act, Sealaska shall be limited to identifying not more than 360 acres of sites with sacred, cultural, traditional, or historic significance under this subsection.

(d) FOREST DEVELOPMENT ROADS.—Sealaska shall receive from the United States, subject to all necessary State and Federal permits, nonexclusive easements to Sealaska to allow—

(1) access on the forest development road and use of the log transfer site identified in paragraphs (3)(b), (3)(c) and (3)(d) of the patent numbered 50–85–0112 and dated January 4, 1985;

(2) access on the forest development road identified in paragraphs (2)(a) and (2)(b) of the patent numbered 50–92–0203 and dated February 24, 1992;

(3) access on the forest development road identified in paragraph (2)(a) of the patent numbered 50–94–0046 and dated December 17, 1993;

(4) access on the forest development roads and use of the log transfer facilities identified on the maps dated February 1, 2011, and labeled ''Attachment A (Maps 1 through 8)'';

(5) a reservation of a right to construct a new road to connect to existing forest development roads as generally identified on the maps identified in paragraph (4); and

(6) access to and reservation of a right to construct a new log transfer facility and log storage area at the location identified on the maps identified in paragraph (4).

SEC. 305. CONVEYANCES TO SEALASKA.

(a) TIMELINE FOR CONVEYANCE.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), the Secretary shall work with Sealaska to develop a mutually agreeable schedule to complete the conveyance of land to Sealaska under this title.

(2) FINAL PRIORITIES.—Consistent with the provisions of section 403 of the Alaska Land Transfer Acceleration Act (43 U.S.C. 1611 note; Public Law 108–452), not later than 18 months after the date of enactment of this Act, Sealaska shall submit to the Secretary the final, irrevocable priorities for selection of land withdrawn under section 304(b)(1).

(3) SUBSTANTIAL COMPLETION REQUIRED.—Not later than two years after the date of selection by Sealaska of land withdrawn under section 304(b)(1), the Secretary shall substantially complete the conveyance of the land to Sealaska under this title.

(4) EFFECT.—Nothing in this title shall interfere with or cause any delay in the duty of the Secretary to convey land to the State of Alaska under section 6 of the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508).

(b) EXPIRATION OF WITHDRAWALS.—On completion of the selection by Sealaska and the conveyances to Sealaska of land under subsection (a) in a manner that is sufficient to fulfill the land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8))—

(1) the right of Sealaska to receive any land under that Act from within a withdrawal area established under subsections (a) and (d) of section 16 of that Act shall be terminated;

(2) the withdrawal areas set aside for selection by Native Corporations in southeast Alaska under subsections (a) and (d) of section 16 of that Act shall be rescinded; and

(3) land located within a withdrawal area that is not conveyed to Sealaska or to a southeast Alaska Village Corporation or Urban Corporation shall be returned to the unencumbered management of the Forest Service as part of the Tongass National Forest.

(c) LIMITATION.—Sealaska shall not select or receive under this title any conveyance of land pursuant to paragraphs (1) or (2) of section 304(b) located within any conservation system unit.

(d) APPLICABLE EASEMENTS AND PUBLIC ACCESS.—

(1) IN GENERAL.—In addition to the reservation of public easements under section 304(a)(2)(A), the conveyance to Sealaska of land withdrawn pursuant to paragraphs (1) and (3) of section 304(b) that are located outside a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) a reservation for easements for public access on the public roads depicted on the maps dated February 1, 2011, and labeled ''Attachment A (Maps 1 through 8)'';

(B) a reservation for easements for public access on the temporary roads designated by the Forest Service as of the date of the enactment of this Act for the public access trails depicted on the maps described in subparagraph (A); and

(C) the right of noncommercial public access for subsistence uses, consistent with title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), and recreational access, without liability to Sealaska, subject to—

(i) the right of Sealaska to regulate access to ensure public safety, to protect cultural or scientific resources, and to provide environmental protection; and

(ii) the condition that Sealaska shall post on any applicable property, in accordance with State law, notices of the conditions on use.

(2) SACRED, CULTURAL, TRADITIONAL AND HISTORIC SITES.—The conveyance to Sealaska of land withdrawn pursuant to section 304(c) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) the right of public access across the conveyances where no reasonable alternative access around the land is available without liability to Sealaska; and

(B) the right of Sealaska to regulate access across the conveyances to ensure public safety, to protect cultural or scientific resources, to provide environmental protection, or to prohibit activities incompatible with the use and enjoyment of the land by Sealaska, subject to the condition that Sealaska shall post on any applicable property, in accordance with State law, notices of any such condition.

(3) TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—The conveyance to Sealaska of land withdrawn pursuant to section 304(b)(3) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to a requirement that Sealaska provide public access across such linear conveyances if an adjacent landowner or the public has a legal right to use the adjacent private or public land.

(4) SITES WITH TRADITIONAL, RECREATIONAL, AND RENEWABLE ENERGY USE VALUE.—The conveyance to Sealaska of land withdrawn pursuant to section 304(b)(2) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) the right of public access across the land without liability to Sealaska; and

(B) the condition that public access across the land would not be unreasonably restricted or impaired.

(5) EFFECT.—No right of access provided to any individual or entity (other than Sealaska) by this subsection—

(A) creates any interest, other than an interest retained by the United States, of such an individual or entity in the land conveyed to Sealaska in excess of that right of access; or

(B) provides standing in any review of, or challenge to, any determination by Sealaska with respect to the management or development of the applicable land.

(e) CONDITIONS ON SACRED, CULTURAL, AND HISTORIC SITES AND TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—The conveyance to Sealaska of land withdrawn pursuant to sections 304(b)(3) and 304(c)—

(1) shall be subject to a covenant prohibiting any commercial timber harvest or mineral development on the land;

(2) shall allow use of the land as described in subsection (f); and

(3) shall not be subject to any additional restrictive covenant based on cultural or historic values, or any other restriction, encumbrance, or easement, except as provided in sections 14(g) and 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g), 1616(b)).

(f) USES OF SACRED, CULTURAL, TRADITIONAL, AND HISTORIC SITES AND TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—Any land conveyed to Sealaska from land withdrawn pursuant to sections 304(b)(3) and 304(c) may be used for—

(1) preservation of cultural knowledge and traditions associated with the site;

(2) historical, cultural, and scientific research and education;

(3) public interpretation and education regarding the cultural significance of the site to Alaska Natives;

(4) protection and management of the site to preserve the natural and cultural features of the site, including cultural traditions, values, songs, stories, names, crests, and clan usage, for the benefit of future generations; and

(5) site improvement activities for any purpose described in paragraphs (1) through (4), subject to the condition that the activities—

(A) are consistent with the sacred, cultural, traditional, or historic nature of the site; and

(B) are not inconsistent with the management plans for adjacent public land.

(g) TERMINATION OF RESTRICTIVE COVENANTS.—

(1) IN GENERAL.—Each restrictive covenant regarding cultural or historical values with respect to any interim conveyance or patent for a historic or cemetery site issued to Sealaska pursuant to the Federal regulations contained in sections 2653.5(a) and 2653.11 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act), in accordance with section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)), terminates as a matter of law on the date of enactment of this Act.

(2) REMAINING CONDITIONS.—Land subject to a covenant described in paragraph (1) on the day before the date of enactment of this Act shall be subject to the conditions described in subsection (e).

(3) RECORDS.—Sealaska shall be responsible for recording with the land title recorders office of the State of Alaska any modification to an existing conveyance of land under section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) as a result of this title.

(h) CONDITIONS ON SITES WITH TRADITIONAL, RECREATIONAL, AND RENEWABLE ENERGY USE VALUE.—Each conveyance of land to Sealaska from land withdrawn pursuant to section 304(b)(2) shall be subject to a covenant prohibiting any commercial timber harvest or mineral development.

(i) ESCROW FUNDS FOR WITHDRAWN LAND.—On the withdrawal by this title of land identified for selection by Sealaska, the escrow requirements of section 2 of Public Law 94–204 (43 U.S.C. 1613 note), shall thereafter apply to the withdrawn land.

(j) GUIDING AND OUTFITTING SPECIAL USE PERMITS OR AUTHORIZATIONS.—

(1) IN GENERAL.—Consistent with the provisions of section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), except as modified herein, on land conveyed to Sealaska from land withdrawn pursuant to sections 304(b)(1) and 304(b)(2), an existing holder of a guiding or outfitting special use permit or authorization issued by the Forest Service shall be entitled to its rights and privileges on the land for the remaining term of the permit, as of the date of conveyance to Sealaska, and for 1 subsequent 10-year renewal of the permit, subject to the condition that the rights shall be considered a valid existing right reserved pursuant to section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), and shall be managed accordingly.

(2) NOTICE OF COMMERCIAL ACTIVITIES.—Sealaska, with respect to the holder of a guiding or outfitting special use permit or authorization under this subsection, and a permit holder referenced in this subsection, with respect to Sealaska, shall have an obligation to inform the other party of their respective commercial activities before engaging in the activities on land, which has been conveyed to Sealaska under this title, subject to the permit or authorization.

(3) NEGOTIATION OF NEW TERMS.—Nothing in this subsection precludes Sealaska and a permit holder under this subsection from negotiating new mutually agreeable permit terms that supersede the requirements of—

(A) this subsection;

(B) section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)); or

(C) any deed covenant.

(4) LIABILITY.—Sealaska shall bear no liability regarding use and occupancy pursuant to special use permits or authorizations on land selected or conveyed pursuant to this title.

SEC. 306. MISCELLANEOUS.

(a) STATUS OF CONVEYED LAND.—Each conveyance of Federal land to Sealaska pursuant to this title, and each Federal action carried out to achieve the purpose of this title, shall be considered to be conveyed or acted on, as applicable, pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(b) ENVIRONMENTAL MITIGATION AND INCENTIVES.—Notwithstanding subsection (e) and (h) of section 305, all land conveyed to Sealaska pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) and this title shall be considered to be qualified to receive or participate in, as applicable—

(1) any federally authorized carbon sequestration program, ecological services program, or environmental mitigation credit; and

(2) any other federally authorized environmental incentive credit or program.

(c) NO MATERIAL EFFECT ON FOREST PLAN.—

(1) IN GENERAL.—Except as required by paragraph (2), implementation of this title, including the conveyance of land to Sealaska, alone or in combination with any other factor, shall not require an amendment of, or revision to, the Tongass National Forest Land and Resources Management Plan before the first revision of that Plan scheduled to occur after the date of enactment of this Act.

(2) BOUNDARY ADJUSTMENTS.—The Secretary of Agriculture shall implement any land ownership boundary adjustments to the Tongass National Forest Land and Resources Management Plan resulting from the implementation of this title through a technical amendment to that Plan.

(d) TECHNICAL CORRECTIONS.—

(1) TRIBAL FOREST PROTECTION.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended by adding at the end a new subsection (h):

''(h)(1) Land owned by an Alaska Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is forest land or formerly had a forest cover or vegetative cover that is capable of restoration shall be eligible for agreements and contracts authorized under this Act and administered by the Secretary.

''(2) Nothing in this subsection validates, invalidates, or otherwise affects any claim regarding the existence of Indian country (as defined in section 1151 of title 18, United States Code) in the State of Alaska.''.

(2) NATIONAL HISTORIC PRESERVATION.—Section 101(d) of the National Historic Preservation Act (16 U.S.C. 470a(d)), is amended by adding at the end a new paragraph (7):

''(7)(A) Notwithstanding any other provision of law, an Alaska Native tribe, band, nation or other organized group or community, including a Native village, Regional Corporation, or Village Corporation, shall be eligible to participate in all programs administered by the Secretary under this Act on behalf of Indian tribes, including, but not limited to, securing grants and other support to manage their own historic preservation sites and programs on lands held by the Alaska Native tribe, band, nation or other organized group or community, including a Native village, Regional Corporation, or Village Corporation.

''(B) Nothing in this paragraph validates, invalidates, or otherwise affects any claim regarding the existence of Indian country (as defined in section 1151 of title 18, United States Code) in the State of Alaska.''.

(e) EFFECT ON ENTITLEMENT.—Nothing in this title shall have any effect upon the entitlement due to any Native Corporation, other than Sealaska, under—

(1) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); or

(2) the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

SEC. 307. MAPS.

(a) AVAILABILITY.—Each map referred to in this title shall be maintained on file in—

(1) the office of the Chief of the Forest Service; and

(2) the office of the Secretary.

(b) CORRECTIONS.—The Secretary or the Chief of the Forest Service may make any necessary correction to a clerical or typographical error in a map referred to in this title.

(c) TREATMENT.—No map referred to in this title shall be considered to be an attempt by the Federal Government to convey any State or private land.

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

SEC. 401. SHORT TITLE.

This title may be cited as the ''San Antonio Missions National Historical Park Boundary Expansion Act''.

SEC. 402. FINDINGS.

Congress finds that—

(1) the San Antonio Missions National Historical Park is important to understanding the history and development of the City of San Antonio, Bexar County, the State of Texas, and the United States;

(2) understanding the connection between the San Antonio River and the San Antonio Missions is critical to understanding mission life in colonial Texas; and

(3) the San Antonio Missions National Historical Park enjoys the strong support of the City of San Antonio, Bexar County, and their citizens and businesses.

SEC. 403. BOUNDARY EXPANSION.

Section 201(a) of Public Law 95–629 (16 U.S.C. 410ee(a)) is amended—

(1) by striking ''In order'' and inserting ''(1) In order'';

(2) by striking ''The park shall also'' and inserting ''(2) The park shall also'';

(3) by striking ''After advising the'' and inserting ''(5) After advising the'';

(4) by inserting after paragraph (2) (as so designated by paragraph (2) above) the following:

''(3) The boundary of the park is further modified to include approximately 151 acres, as depicted on the map titled 'San Antonio Missions National Historical Park Proposed Boundary Addition 2009', numbered 472/468,027, and dated November 2009. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.

''(4) The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the park. The Secretary is authorized to acquire land and interests in land that are within the boundaries of the park pursuant to paragraph (3) by donation only. No private property or non-Federal public property shall be included within the boundaries of the park without the written consent of the owner of such property. Nothing in this Act, the establishment of park, or the management plan of the park shall be construed create buffer zones outside of the park. That an activity or use can be seen or heard from within the park shall not preclude the conduct of that activity or use outside the park.''.

TITLE V—WACO MAMMOTH NATIONAL MONUMENT ESTABLISHMENT ACT OF 2012

SEC. 501. SHORT TITLE.

This title may be cited as the ''Waco Mammoth National Monument Establishment Act of 2012''.

SEC. 502. FINDINGS.

Congress finds that—

(1) the Waco Mammoth Site area is located near the confluence of the Brazos River and the Bosque River in central Texas, near the city of Waco;

(2) after the discovery of bones emerging from eroding creek banks leading to the uncovering of portions of 5 mammoths, Baylor University began investigating the site in 1978;

(3) several additional mammoth remains have been uncovered making the site the largest known concentration of mammoths dying from the same event;

(4) the mammoth discoveries have received international attention; and

(5) Baylor University and the city of Waco, Texas, have been working together—

(A) to protect the site; and

(B) to develop further research and educational opportunities at the site.

SEC. 503. DEFINITIONS.

In this title:

(1) CITY.—The term ''City'' means the city of Waco, Texas.

(2) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Monument prepared under section 505(c)(1).

(3) MAP.—The term ''map'' means the map entitled ''Proposed Boundary Waco-Mammoth National Monument'', numbered T21/80,000, and dated April 2009.

(4) MONUMENT.—The term ''Monument'' means the Waco Mammoth National Monument established by section 504(a).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Texas.

(7) UNIVERSITY.—The term ''University'' means Baylor University in the State.

SEC. 504. WACO MAMMOTH NATIONAL MONUMENT, TEXAS.

(a) ESTABLISHMENT.—There is established in the State, as a unit of the National Park System, the Waco Mammoth National Monument, as generally depicted on the map.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 505. ADMINISTRATION OF MONUMENT.

(a) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(1) this title; and

(2) any cooperative agreements entered into under subsection (b)(1).

(b) AUTHORITIES OF SECRETARY.—

(1) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative management agreements with the University and the City, in accordance with section 3(l) of Public Law 91–383 (16 U.S.C. 1a–2(l)).

(2) ACQUISITION OF LAND.—The Secretary may acquire by donation only from the City any land or interest in land owned by the City within the proposed boundary of the Monument.

(c) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the University and the City, shall complete a general management plan for the Monument.

(2) INCLUSIONS.—The management plan shall include, at a minimum—

(A) measures for the preservation of the resources of the Monument;

(B) requirements for the type and extent of development and use of the Monument;

(C) identification of the capacity of the Monument for accommodating visitors; and

(D) opportunities for involvement by the University, City, State, and other local and national entities in—

(i) developing educational programs for the Monument; and

(ii) developing and supporting the Monument.

(d) PROHIBITION OF USE OF FEDERAL FUNDS.—No Federal funds may be used to pay the costs of—

(1) carrying out a cooperative agreement under subsection (b)(1);

(2) acquiring land for inclusion in the Monument under subsection (b)(2);

(3) developing a visitor center for the Monument;

(4) operating or maintaining the Monument;

(5) constructing exhibits for the Monument; or

(6) developing the general management plan under subsection (c).

(e) USE OF NON-FEDERAL FUNDS.—Non-Federal funds may be used to pay any costs that may be incurred by the Secretary or the National Park Service in carrying out this section.

(f) EFFECT ON ELIGIBILITY FOR FINANCIAL ASSISTANCE.—Nothing in this title affects the eligibility of the Monument for Federal grants or other forms of financial assistance that the Monument would have been eligible to apply for had National Park System status not been conferred to the Monument under this title.

(g) TERMINATION OF NATIONAL PARK SYSTEM STATUS.—

(1) IN GENERAL.—Designation of the Monument as a unit of the National Park System shall terminate if the Secretary determines that Federal funds are required to operate and maintain the Monument.

(2) REVERSION.—If the designation of the Monument as a unit of the National Park System is terminated under paragraph (1), any land acquired by the Secretary from the City under subsection (b)(2) shall revert to the City.

(h) PRIVATE PROPERTY PROTECTION.—No private property may be made part of the Monument without the written consent of the owner of that private property.

SEC. 506. NO BUFFER ZONES.

Nothing in this title, the establishment of national monument, or the management plan shall be construed create buffer zones outside of the national monument. That an activity or use can be seen or heard from within the Monument shall not preclude the conduct of that activity or use outside the Monument.

TITLE VI—NORTH CASCADES NATIONAL PARK ACCESS

SEC. 601. FINDINGS.

Congress finds as follows:

(1) In 1988, 93 percent of the North Cascades National Park Complex was designated the Stephen Mather Wilderness.

(2) A road corridor was deliberately excluded from the wilderness designation to provide for the continued use and maintenance of the upper Stehekin Valley Road.

(3) The upper Stehekin Valley Road provides access to Stephen Mather Wilderness trailheads and North Cascades National Park from the Lake Chelan National Recreation Area.

(4) Record flooding in 1995 and again in 2003 caused severe damage to the upper Stehekin Valley Road and led to the closure of a 9.9-mile section of the road between Car Wash Falls and Cottonwood Camp.

(5) The National Park Service currently does not have the flexibility to rebuild the upper Stehekin Valley Road away from the Stehekin River due to the current location of the non-wilderness road corridor provided by Congress in 1988.

(6) It is a high priority that the people of the United States, including families, the disabled, and the elderly, have reasonable access to the National Parks system and their public lands.

(7) The 1995 Lake Chelan National Recreation Area General Management Plan calls for retaining vehicle access to Cottonwood Camp.

(8) Tourism associated with the North Cascades National Park Complex is an important part of the economy for rural communities in the area.

(9) Additional management flexibility would allow the National Park Service to consider retention of the upper Stehekin Valley Road in a manner that provides for no net loss of wilderness.

SEC. 602. AUTHORIZATION FOR BOUNDARY ADJUSTMENTS.

The Washington Park Wilderness Act of 1988 (Public Law 100–668) is amended by inserting after section 206 the following:

''SEC. 207. BOUNDARY ADJUSTMENTS FOR ROAD.

''(a) IN GENERAL.—The Secretary may adjust the boundaries of the North Cascades National Park and the Stephen Mather Wilderness in order to provide a 100-foot-wide corridor along which the Stehekin Valley Road may be rebuilt—

''(1) outside of the floodplain between milepost 12.9 and milepost 22.8;

''(2) within the boundaries of the North Cascades National Park; and

''(3) outside of the boundaries of the Stephen Mather Wilderness.

''(b) NO NET LOSS OF LANDS.—The boundary adjustments made under this section shall be such that equal acreage amounts are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.''.

TITLE VII—ENDANGERED SALMON AND FISHERIES PREDATION PREVENTION ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Endangered Salmon and Fisheries Predation Prevention Act''.

SEC. 702. FINDINGS.

The Congress finds the following:

(1) There are 13 groups of salmon and steelhead that are listed as threatened species or endangered species under the Endangered Species Act of 1973 that migrate through the lower Columbia River.

(2) The people of the Northwest United States are united in their desire to restore healthy salmon and steelhead runs, as they are integral to the region's culture and economy.

(3) The Columbia River treaty tribes retain important rights with respect to salmon and steelhead.

(4) Federal, State, and tribal governments have spent billions of dollars to assist the recovery of Columbia River salmon and steelhead populations.

(5) One of the factors impacting salmonid populations is increased predation by marine mammals, including California sea lions.

(6) The population of California sea lions has increased 6-fold over the last 3 decades, and is currently greater than 250,000 animals.

(7) In recent years, more than 1,000 California sea lions have been foraging in the lower 145 miles of the Columbia River up to Bonneville Dam during the peak spring salmonid run before returning to the California coast to mate.

(8) The percentage of the spring salmonid run that has been eaten or killed by California sea lions at Bonneville Dam has increased 7-fold since 2002.

(9) In recent years, California sea lions have with greater frequency congregated near Bonneville Dam and have entered the fish ladders.

(10) These California sea lions have not been responsive to extensive hazing methods employed near Bonneville Dam to discourage this behavior.

(11) The process established under the 1994 amendment to the Marine Mammal Protection Act of 1972 to address aggressive sea lion behavior is protracted and will not work in a timely enough manner to protect threatened and endangered salmonids in the near term.

(12) In the interest of protecting Columbia River threatened and endangered salmonids, a temporary expedited procedure is urgently needed to allow removal of the minimum number of California sea lions as is necessary to protect the passage of threatened and endangered salmonids in the Columbia River and its tributaries.

(13) On December 21, 2010, the independent Pinniped-Fishery Interaction Task Force recommended lethally removing more of the California sea lions in 2011.

(14) On August 18, 2011, the States of Washington, Oregon, and Idaho applied to the National Marine Fisheries Service, under section 120(b)(1)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389(b)(1)(A)), for the lethal removal of sea lions that the States determined are having a ''significant negative impact'' on the recovery of Columbia River and Snake River salmon and steelhead.

(15) On September 12, 2011, the National Marine Fisheries Service announced it was accepting the States' application for lethal removal of sea lions and that it would reconvene the Pinniped-Fishery Interaction Task Force to consider the States' application. This title will ensure the necessary authority for permits under the Marine Mammal Protection Act of 1972 to be issued in a timely fashion.

(16) During a June 14, 2011, hearing, the Committee on Natural Resources of the House of Representatives received testimony from State and tribal witnesses expressing concern that significant pinniped predation of important Northwest fish resources other than salmonids is severely impacting fish stocks determined by both Federal and State fishery management agencies to be at low levels of abundance, and that this cannot be addressed by section 120 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389), which as in effect before the enactment of this Act restricted control of predatory pinnipeds' impact only with respect to endangered salmonids.

SEC. 703. TAKING OF SEA LIONS ON THE COLUMBIA RIVER AND ITS TRIBUTARIES TO PROTECT ENDANGERED AND THREATENED SPECIES OF SALMON AND OTHER NONLISTED FISH SPECIES.

Section 120 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389) is amended by striking subsection (f) and inserting the following:

''(f) TEMPORARY MARINE MAMMAL REMOVAL AUTHORITY ON THE WATERS OF THE COLUMBIA RIVER OR ITS TRIBUTARIES.—

''(1) REMOVAL AUTHORITY.—Notwithstanding any other provision of this Act, the Secretary may issue a permit to an eligible entity authorizing the intentional lethal taking on the waters of the Columbia River and its tributaries of sea lions that are part of a healthy population that is not listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), to protect endangered and threatened species of salmon and other nonlisted fish species.

''(2) PERMIT PROCESS.—

''(A) IN GENERAL.—An eligible entity may apply to the Secretary for a permit under this subsection.

''(B) DEADLINE FOR CONSIDERATION OF APPLICATION.—The Secretary shall approve or deny an application for a permit under this subsection by not later than 30 days after receiving the application.

''(C) DURATION OF PERMIT.—A permit under this subsection shall be effective for no more than one year after the date it is issued, but may be renewed by the Secretary.

''(3) LIMITATIONS.—

''(A) LIMITATION ON PERMIT AUTHORITY.—Subject to subparagraph (B), a permit issued under this subsection shall not authorize the lethal taking of more than 10 sea lions during the duration of the permit.

''(B) LIMITATION ON ANNUAL TAKINGS.—The cumulative number of sea lions authorized to be taken each year under all permits in effect under this subsection shall not exceed one percent of the annual potential biological removal level.

''(4) DELEGATION OF PERMIT AUTHORITY.—Any eligible entity may delegate to any other eligible entity the authority to administer its permit authority under this subsection.

''(5) NEPA.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to this subsection and the issuance of any permit under this subsection during the 5-year period beginning on the date of the enactment of this subsection.

''(6) SUSPENSION OF PERMITTING AUTHORITY.—If, 5 years after enactment, the Secretary, after consulting with State and tribal fishery managers, determines that lethal removal authority is no longer necessary to protect salmonid and other fish species from sea lion predation, may suspend the issuance of permits under this subsection.

''(7) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means each of the State of Washington, the State of Oregon, the State of Idaho, the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Columbia River Inter-Tribal Fish Commission.''.

SEC. 704. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) preventing predation by sea lions, recovery of listed salmonid stocks, and preventing future listings of fish stocks in the Columbia River is a vital priority;

(2) permit holders exercising lethal removal authority pursuant to the amendment made by this title should be trained in wildlife management; and

(3) the Federal Government should continue to fund lethal and nonlethal removal measures for preventing such predation.

SEC. 705. TREATY RIGHTS OF FEDERALLY RECOGNIZED INDIAN TRIBES.

Nothing in this title or the amendment made by this title shall be construed to affect or modify any treaty or other right of any federally recognized Indian tribe.

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

SEC. 801. REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT.

(a) EXTENSION.—Subsection (g) of the Herger-Feinstein Quincy Library Group Forest Recovery Act (title IV of the Department of the Interior and Related Agencies Appropriations Act, 1999, as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended to read as follows:

''(g) TERM OF PILOT PROJECT.—

''(1) IN GENERAL.—The Secretary shall conduct the pilot project until the earlier of the following:

''(A) September 30, 2022.

''(B) The date on which the Secretary completes amendment or revision of the land and resource management plans for the National Forest System lands included in the pilot project area.

''(2) FOREST PLAN AMENDMENTS.—When the Regional Forester for Region 5 initiates the process to amend or revise the land and resource management plans for the pilot project area, the process shall include preparation of at least one alternative that incorporates the pilot project and area designations under subsection (b), the resource management activities described in subsection (d), and other aspects of the Quincy Library Group Community Stability Proposal.''.

(b) EXPANSION OF PILOT PROJECT AREA.—Subsection (b) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by adding at the end the following new paragraph:

''(3) EXPANSION OF PILOT PROJECT AREA.—The Secretary may expand the pilot project area to include all National Forest System lands within California or Nevada that lie within the Sierra Nevada and Cascade Province, Lake Tahoe Basin Management Unit, Humboldt-Toiyabe National Forest, and Inyo National Forest. These lands may be managed using the same strategy, guidelines and resource management activities outlined in this section or developed to meet local forest and community needs and conditions.''.

(c) ROADLESS AREA PROTECTION.—Subsection (c)(4) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by adding at the end the following new sentence: ''However, those areas designated as 'Deferred' on the map, but located in Tehama County, south and west of Lassen Peak, are deemed to be designated as 'Available for Group Selection' and shall be managed accordingly under subsection (d).''.

(d) GROUP SELECTION REQUIREMENT.—Subparagraph (A) of subsection (d)(2) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended to read as follows:

''(A) GROUP SELECTION.—After September 30, 2012, group selection on an average acreage of .57 percent of the pilot project area land shall occur each year of the pilot project.''.

TITLE IX—YERINGTON LAND CONVEYANCE AND SUSTAINABLE DEVELOPMENT ACT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Yerington Land Conveyance and Sustainable Development Act''.

SEC. 902. FINDINGS.

Congress finds that—

(1) the city of Yerington, Nevada, which has an unemployment rate of 16 percent, has the highest unemployment rate in the State of Nevada;

(2) for over 4 years, the city of Yerington and Lyon County, Nevada, have been working with private business partners to develop a sustainable development plan that would enable all parties to benefit from the use of private land adjacent to the city of Yerington for potential commercial and industrial development, mining activities, recreation opportunities, and the expansion of community and cultural events;

(3) the sustainable development plan referred to in paragraph (2) requires the conveyance of certain Federal land administered by the Bureau of Land Management to the City for consideration in an amount equal to the fair market value of the Federal land;

(4) the Federal land to be conveyed to the City under the sustainable development plan has

very few environmental, historical, wildlife, or cultural resources of value to the public, but is appropriate for responsible development;

(5) the Federal land that would be conveyed to the City under the sustainable development plan—

(A) is adjacent to the boundaries of the City; and

(B) would be used—

(i) to enhance recreational, cultural, commercial, and industrial development opportunities in the City;

(ii) for future economic development, regional use, and as an open space buffer to the City; and

(iii) to allow the City to provide critical infrastructure services;

(6) commercial and industrial development of the Federal land would enable the community to benefit from the transportation, power, and water infrastructure that would be put in place with the concurrent development of commercial and industrial operations;

(7) the conveyance of the Federal land would—

(A) help the City and County to grow; and

(B) provide additional tax revenue to the City and County;

(8) industrial and commercial development of the Federal land would create thousands of long-term, high-paying jobs for the City and County; and

(9) the Lyon County Commission and the City unanimously approved resolutions in support of the conveyance of the Federal land because the conveyance would facilitate a sustainable model for long-term economic and industrial development.

SEC. 903. DEFINITIONS.

In this title:

(1) CITY.—The term ''City'' means the city of Yerington, Nevada.

(2) FEDERAL LAND.—The term ''Federal land'' means the land located in Lyon County and Mineral County, Nevada, that is identified on the map as ''City of Yerington Sustainable Development Conveyance Lands''.

(3) MAP.—The term ''map'' means the map entitled ''Yerington Land Conveyance and Sustainable Development Act'' and dated May 31, 2012.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 904. CONVEYANCES OF LAND TO CITY OF YERINGTON, NEVADA.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this title, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the City, subject to the City's agreement and in exchange for consideration in an amount equal to the fair market value of the Federal land, all right, title, and interest of the United States in and to the Federal land identified on the map.

(b) APPRAISAL TO DETERMINE OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the Federal land to be conveyed—

(1) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisition; and

(B) the Uniform Standards of Professional Appraisal Practice.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) APPLICABLE LAW.—Beginning on the date on which the Federal land is conveyed to the City, the development of and conduct of activities on the Federal land shall be subject to all applicable Federal laws (including regulations).

(e) ADMINISTRATIVE COSTS.—The City shall be responsible for all survey, appraisal, and other administrative costs associated with the conveyance of the Federal land to the City under this title.

SEC. 905. RELEASE OF THE UNITED STATES.

Upon making the conveyance under section 904, notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal Land in existence on or before the date of the conveyance.

TITLE X—PRESERVING ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Preserving Access to Cape Hatteras National Seashore Recreational Area Act''.

SEC. 1002. REINSTATEMENT OF INTERIM MANAGEMENT STRATEGY.

(a) MANAGEMENT.—After the date of the enactment of this title, Cape Hatteras National Seashore Recreational Area shall be managed in accordance with the Interim Protected Species Management Strategy/Environmental Assessment issued by the National Park Service on June 13, 2007, for the Cape Hatteras National Seashore Recreational Area, North Carolina, unless the Secretary of the Interior (hereafter in this title referred to as the ''Secretary'') issues a new final rule that meets the requirements set forth in section 1003.

(b) RESTRICTIONS.—The Secretary shall not impose any additional restrictions on pedestrian or motorized vehicular access to any portion of Cape Hatteras National Seashore Recreational Area for species protection beyond those in the Interim Management Strategy, other than as specifically authorized pursuant to section 1003 of this title.

SEC. 1003. ADDITIONAL RESTRICTIONS ON ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA FOR SPECIES PROTECTION.

(a) IN GENERAL.—If, based on peer-reviewed science and after public comment, the Secretary determines that additional restrictions on access to a portion of the Cape Hatteras National Seashore Recreational Area are necessary to protect species listed as endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretary may only restrict, by limitation, closure, buffer, or otherwise, pedestrian and motorized vehicular access for recreational activities for the shortest possible time and on the smallest possible portions of the Cape Hatteras National Seashore Recreational Area.

(b) LIMITATION ON RESTRICTIONS.—Restrictions imposed under this section for protection of species listed as endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be greater than the restrictions in effect for that species at any other National Seashore.

(c) CORRIDORS AROUND CLOSURES.—To the maximum extent possible, the Secretary shall designate pedestrian and vehicular corridors of minimal distance on the beach or interdunal area around closures implemented under this section to allow access to areas not closed.

SEC. 1004. INAPPLICABILITY OF FINAL RULE AND CONSENT DEGREE.

(a) FINAL RULE.—The final rule titled ''Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore—Off-Road Vehicle Management'' (77 Fed. Reg. 3123–3144) shall have no force or effect after the date of the enactment of this title.

(b) CONSENT DECREE.—The April 30, 2008, consent decree filed in the United States District Court for the Eastern District of North Carolina regarding off-road vehicle use at Cape Hatteras National Seashore in North Carolina shall not apply after the date of the enactment of this title.

TITLE XI—GRAZING IMPROVEMENT ACT OF 2012

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Grazing Improvement Act of 2012''.

SEC. 1102. TERMS OF GRAZING PERMITS AND LEASES.

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) by striking ''ten years'' each place it appears and inserting ''20 years''; and

(2) in subsection (b)—

(A) by striking ''or'' at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.''.

SEC. 1103. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

''SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

''(a) DEFINITIONS.—In this section:

''(1) CURRENT GRAZING MANAGEMENT.—The term 'current grazing management' means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

''(2) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture, with respect to National Forest System land; and

''(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

''(b) RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING.—A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate—

''(1) section 402;

''(2) section 19 of the Act of April 24, 1950 (commonly known as the 'Granger-Thye Act'; 16 U.S.C. 580l);

''(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

''(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–50).

''(c) TERMS; CONDITIONS.—The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

''(d) CANCELLATION; SUSPENSION; MODIFICATION.—Notwithstanding subsection (c), a permit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

''(e) RENEWAL TRANSFER REISSUANCE AFTER PROCESSING.—When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned may renew or reissue the permit or lease for a term of 20 years after completion of processing.

''(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned may, at their sole discretion, be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if—

''(1) the decision to renew, reissue, or transfer continues the current grazing management of the allotment;

''(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the land use and resource management plan of the allotment, as determined by the Secretary concerned; or

''(3) the decision is consistent with the policy of the Department of the Interior or the Department of Agriculture, as appropriate, regarding extraordinary circumstances.

''(g) PRIORITY AND TIMING FOR COMPLETING ENVIRONMENTAL ANALYSES.—The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis regarding any grazing allotment, permit, or lease based on the environmental significance of the allotment, permit, or lease and available funding for that purpose.

''(h) NEPA EXEMPTIONS.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the following:

''(1) Crossing and trailing authorizations of domestic livestock.

''(2) Transfer of grazing preference.''.

TITLE XII—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT ACT

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Target Practice and Marksmanship Training Support Act''.

SEC. 1202. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(2) in recent years preceding the date of enactment of this title, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(5) Federal law in effect on the date of enactment of this title, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this title is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 1203. DEFINITION OF PUBLIC TARGET RANGE.

In this title, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 1204. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate archery or rifle, pistol, or shotgun shooting;''.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(2) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(3) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(4) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(2) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.''; and

(3) in subsection (c)(1)—

(A) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

SEC. 1205. LIMITS ON LIABILITY.

(a) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the ''Federal Tort Claims Act''), any action by an agent or employee of the United States to manage or allow the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(b) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for any injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(1) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(2) located on Federal land.

SEC. 1206. SENSE OF CONGRESS REGARDING CO-OPERATION.

It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

TITLE XIII—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2012

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Chesapeake Bay Accountability and Recovery Act of 2012''.

SEC. 1302. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to $100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to $50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this title for which the President submits a budget to Congress.

SEC. 1303. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities in the Chesapeake Bay watershed that includes—

(1) definition of specific and measurable objectives to improve water quality, habitat, and fisheries;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 2 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this title.

(e) INCLUSION OF PLAN IN ANNUAL ACTION PLAN AND ANNUAL PROGRESS REPORT.—The Administrator shall ensure that the Annual Action Plan and Annual Progress Report required by section 205 of Executive Order 13508 includes the adaptive management plan outlined in subsection (a).

SEC. 1304. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 2 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section, the term ''Chesapeake Executive Council'' has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

SEC. 1305. DEFINITIONS.

In this title, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term ''adaptive management'' means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term ''Chesapeake Bay State'' or ''State'' means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term ''Chesapeake Bay watershed'' means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term ''chief executive'' means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(7) RESTORATION ACTIVITIES.—The term ''restoration activities'' means any Federal or State programs or projects that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.

(B) Planning.

(C) Feasibility studies.

(D) Scientific research.

(E) Monitoring.

(F) Education.

(G) Infrastructure Development.

TITLE XIV—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION ACT

SEC. 1401. SHORT TITLE.

This title may be cited as the ''National Security and Federal Lands Protection Act''.

SEC. 1402. PROHIBITION ON IMPEDING CERTAIN ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION RELATED TO BORDER SECURITY.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to achieve operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109–367)) over the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—

(1) AUTHORIZATION.—U.S. Customs and Border Protection shall have immediate access to land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that assist in securing the international land borders of the United States:

(A) Construction and maintenance of roads.

(B) Construction and maintenance of fences.

(C) Use vehicles to patrol.

(D) Installation, maintenance, and operation of surveillance equipment and sensors.

(E) Use of aircraft.

(F) Deployment of temporary tactical infrastructure, including forward operating bases.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906'') (16 U.S.C. 431 et seq.), the Act of August 21, 1935 (16 U.S.C. 461 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.), the

Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the Otay Mountain Wilderness Act of 1999 (Public Law 106–145, 113 Stat. 1711), sections 102(29) and 103 of California Desert Protection Act of 1994 (16 U.S.C. 410aaa et seq.), the National Park Service Organic Act (16 U.S.C. 1 et seq.), Public Law 91–383 (16 U.S.C. 1a–1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628), section 10 of the Act of March 3, 1899 (33 U.S.C. 403), the Act of June 8, 1940 (16 U.S.C. 668 et seq.), (25 U.S.C. 3001 et seq.), Public Law 95–341 (42 U.S.C. 1996), Public Law 103–141 (42 U.S.C. 2000bb et seq.), the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.), the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.), the Mineral Leasing Act (30 U.S.C. 181, et seq.), the Materials Act of 1947 (30 U.S.C. 601 et seq.), and the General Mining Act of 1872 (30 U.S.C. 22 note).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, or mining, on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

SEC. 1403. SUNSET.

This title shall have no force or effect after the end of the 5-year period beginning on the date of enactment of this Act.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 112–539. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1540

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–539.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, line 13, strike ''151'' and insert ''137''.

Page 52, line 15, strike ''2009''.

Page 52, strike line 16 and insert ''numbered 472/113,006A, and dated June 2012.''.

Page 52, strike line 25, and insert ''(3) by donation or exchange only (and in the case of an exchange, no payment may be made by the Secretary to any landowner). No private property or non-''.

Page 53, line 4, insert ''to'' after ''construed''.

Page 60, beginning on line 22, strike ''100-foot-wide corridor'' and insert ''corridor of not more than 100 feet in width''.

Page 61, after line 2, insert the following (and redesignate the subsequent paragraphs accordingly):

''(2) within one mile of the route, on the date of the enactment of this section, of the Stehekin Valley Road;''.

Page 61, strike lines 7 through 13 and insert the following:

''(b) NO NET LOSS OF LANDS.—

''(1) IN GENERAL.—The boundary adjustments made under this section shall be such that equal amounts of federally owned acreage are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.

''(2) STEHEKIN VALLEY ROAD LANDS.—The newly designated wilderness shall include the lands along the route of the Stehekin Valley Road that are replaced by the reconstruction.

''(3) EQUALIZATION OF LAND.—If the lands described in paragraph (2) contain fewer acres than the corridor described in subsection (a), the Secretary may designate additional Federal lands in the North Cascades National Park as wilderness, but such designation may not exceed the amount needed to equalize the exchange and these additional lands must be selected from lands that qualify as wilderness under section 2(c) of the Wilderness Act (16 U.S.C. 1131(c)).

''(c) NO SALE OR ACQUISITION AUTHORIZED.—Nothing in this title authorizes the sale or acquisition of any land or interest in land.

''(d) NO PRIORITY REQUIRED.—Nothing in this title shall be construed as requiring the Secretary to give this project precedence over the construction or repair of other similarly damaged roads in units of the National Park System.''.

Page 69, line 17, strike ''2022'' and insert ''2019''.

Page 71, after line 13, insert the following:

(e) FUNDING.—Subsection (f) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

Page 87, strike lines 22 and 23 and insert ''to 90 percent of the funds apportioned to it under section 669c(c) of this title to acquire land for, expand, or construct a public target range.''.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

This amendment makes some technical, clarifying, and conforming changes to the underlying bill. It amends title IV to delete a portion of the land that the National Park Service does not want to acquire for the San Antonio missions and which would expose it to liability for cleanup costs.

It conforms the text of title VI to match what the House passed in the 111th Congress in H.R. 2806.

And it conforms title VIII with the leadership protocols regarding length and amount of authorizations.

And, finally, it clarifies what funds States may use to increase access to target ranges under title XII.

With that, I urge adoption and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise to speak on the manager's amendment.

The CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. On the manager's amendment, we have no problem with the technical changes to the legislation. The content remains the same and the opposition remains the same.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I urge adoption of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–539.

Mr. DEFAZIO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 47, after line 16, insert the following new subsection:

(k) CONDITION ON SEALASKA EXPORT OF UNPROCESSED TIMBER.—The conveyance to Sealaska of Federal land under this title shall be subject to an additional covenant that Sealaska comply with the export restrictions on unprocessed timber contained in the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620 et seq.) regarding any timber removed from the conveyed land notwithstanding the geographical limitation on the applicability of such Act only to timber originating from lands west of the 100th meridian in the contiguous 48 States.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, my amendment is simple. What it says is that should this legislation pass and the 100,000 acres of forest pass over to the Sealaska Native corporation, a for-profit corporation, that we would ban the export of unprocessed logs from those lands. This would be consistent with the law that applies to the lower 48 west of the Mississippi River.

In 1990, I partnered with Senator Bob Packwood from Oregon to make permanent what had then been an appropriations rider ban since the era of Wayne Morris, and the rationale for that was that we should not be a tree farm for other nations. We want to be an industrial Nation. We want to get value added. We want to export finished products overseas.

We've seen in the last couple of years a flood of private-lands exports from Oregon and Washington, which is timber actually being wasted. Until very recently, the Chinese were paying above-market prices for raw logs,

Douglas fir logs, which they were using, prime timber, one time in construction forms, and then discarding, an incredible waste of a resource and also an economic loss to the Pacific Northwest.

Despite the fact that Washington State exported $1 billion worth of non-Federal raw logs last year, which is twice the amount that they exported just 2 years before, the number of logging jobs did not increase despite this export, and the number of sawmill jobs dropped by a third in Washington State. We're exporting a limited natural resource to which we could add value through what we have, the most productive mills in the world in the United States of America. And instead, those logs are going overseas, and we're actually losing jobs.

Yes, it is profitable for the private landowners, and we don't have restrictions on the export of private logs. But this is public forest lands today which would be converted to private forest lands, and we believe that the potential benefits should be maximized should this happen and that these logs should be manufactured before being exported. If they were exported, I would say in fact there would be a substantial raw-log market in my State because my mills are importing timber from around the world, actually, and from other States in the U.S. to keep their mills running.

In Oregon, non-Federal raw-log exports, again private-land exports, have doubled over the last 3 years to $2.3 billion in value while my sawmills and logging industry reached new lows. This harvesting for export of raw logs is not benefiting the local economies or the United States of America. And in Alaska, raw-log exports from Alaska to China have increased 16-fold over the last decade. Yet the economic benefits of running those logs or potentially running those logs through sawmills was not realized, benefiting rural communities.

I have many depressed rural areas that I represent. We're fighting over how we can get some more logs off Federal lands, logs which can't be exported. These logs could not only benefit Alaskans who could use the manufacturing jobs, and perhaps would see some new investment in sawmill capacity should this amount of timber come onto the market, but also potentially other west coast States, including Oregon and Washington, where our sawmills are struggling to find adequate supply.

So I believe this would be a beneficial, commonsense amendment. It would bring Federal logs, Federal trees, Federal forests, and would make the use of those logs, should they be harvested, consistent with the rest of the Federal lands in the western United States.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield 4 minutes to the gentleman from Alaska (Mr. YOUNG).

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

Mr. YOUNG of Alaska. I strongly oppose this amendment. I know this amendment may have good intentions, but it is misguided. It will hurt the employment in the Native villages of Alaska. We have studies that show that the employment would not increase if we cannot export some of our logs.

By the way, this amendment was in the Natural Resources Committee, and it was defeated 30–13.

Last night, the Alaska Forest Association wrote in strong opposition to the amendment. And, very frankly, it is not right for the government to tell somebody on private land where they can sell their product. The only person who should be able to do this is the owner of a product. We don't tell where the Californians can sell their rice. We don't tell Weyerhaeuser where they should sell their timber. And so we shouldn't be telling a private landowner where to sell their timber.

In fact, if we had the Tongass National Forest, what little land we have left of less than a million and a half acres that is federally owned as far as harvesting capability, if the Forest Service would do their job, we'd have some timber to harvest, but they're not doing it. But what timber they do harvest on Federal land, they allow 50 percent of old-growth timber sales and 100 percent of new growth, 100 percent to be sold. So this is a little bit, I say, not sincere in the sense that this is not going to create jobs, and the Federal Government is already allowing timber to be sold wherever they wish to.

I would suggest respectfully that the amendment is not placed correctly. I would like to keep the timber in the United States, but if the market's not there, or if the bid is not as high as overseas people who bid on it, then you have to let the private person, in fact, sell his timber.

I would suggest respectfully that the thing that concerns me the most in this whole argument is some of the arguments against this legislation. This is about a Native group. It's a corporation, but it's a Native group of villages put together that have a high unemployment. We're getting all kinds of bull dip all across the Internet now saying that this, in fact, is going to give away. It's talk about roads being given away. This is timber area that has already been cut, and they do not want to cut the old timber area.

□ 1550

They're trying to have a good industry built by silviculture, and this is what's so important here. But for some reason, like I say, they're winning the ''bull dip'' awards of the whole year on this legislation.

Now, I understand what the gentleman is trying to do, but it's not right to have a private entity be told by the Federal Government where they can sell their product. We don't tell rice growers or tell anybody else where to sell their product. They sell it to the best market, and this is about the best market.

This would be wrong because they will have timber in a few years. I'd say maybe 50 years they'll have the best timber stand in the whole State of Alaska because this area has already been cut. They'll take them thin, and they'll be able to sell this timber at a high price, probably to the United States by then because we'll all be long gone.

The CHAIR. The gentleman from Oregon has 30 seconds remaining.

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

I certainly respect the gentleman from Alaska, and I know that it's his intention to benefit the people of Alaska. I've been involved in this issue now for almost—well, for 22 years on the issue of exporting raw logs. In fact, I did try and restrict the export of private logs back there in 1990 and couldn't get that, but at least we got the Federal and at least we've kept the State, and we do get value added. And for every 1,000 board feet of timber harvested, we get more jobs than just a logging job, a trucking job, and a loading it on the ship job. We get the jobs in the mills. I would argue that the same would flow to Alaska should this amendment pass.

With that, I yield back the balance of my time and urge my colleagues to support the amendment.

The CHAIR. The gentleman from Washington has 2 minutes remaining.

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

Mr. Chairman, I rise in opposition, obviously, to this amendment because this amendment would single out one particular group of Native Alaskans for restrictions that currently only apply to timber harvested from certain Federal lands in the lower 48.

Now, the irony here, as was pointed out by the gentleman from Alaska, is that the Forest Service in the Tongass allows for 100 percent export of red cedar harvested in the Tongass and 50 percent of old growth harvested in the Tongass. So I think it is, in all honesty, Mr. Chairman, a bit hypocritical to impose the domestic limitations on Natives while the Forest Service is doing just exactly the opposite.

Now, I'll also add that this amendment does not affect other landowners on the Tongass; it only affects the Natives of Sealaska. Now, I don't think that's really what we should be doing here on the floor of the House is singling out one group for a penalty, and that's precisely what this amendment does.

So I urge rejection of this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–539.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 83, after line 21, insert the following new section:

SEC. 1104. GRAZING FEE PILOT PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to conduct a pilot program in fiscal years 2013 through 2016 to collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management.

(b) FEE AMOUNT AND COLLECTION.—

(1) AMOUNT.—The fee authorized by this section shall be in the amount of $1 per Animal Unit Month, and shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee under section 4130.8–1 of title 43, Code of Federal Regulations.

(2) DEPOSIT OF PENALTIES.—Penalties assessed under this subsection shall be deposited in the general fund of the Treasury.

(3) APPLICABILITY.—Nothing in this section affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315 et seq., section 205(b) of Public Law 94–579 (43 U.S.C. 1751(b)), section 6(a) of Public Law 95–514 (43 U.S.C. 1905), Executive Order 12548, or any administrative regulation.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, we're about to talk about grazing fees. For people in many parts of the country, they may not know what that is. That is that, on Federal lands across the country, cattlemen can bring their cattle onto Federal lands—that is, the public lands of the United States—and graze. And what are they charged? Well, they're charged $1.35. That's exactly what they were charged in 1986.

Now, right next to this Federal land, in many States, there is State land. That State land in Colorado is very valuable; but they ensure, the Governor of Colorado, that the cattlemen there in that State pay $10 to graze, not 1.35. In Montana, cattlemen have to pay $7.90. In Utah, they have to pay $7.30. But on the public lands in each of those States—that is, the Federal lands—it's 1.35, just hasn't increased. And who pays the price? Well, the Federal taxpayer pays the price because the cattlemen get to basically have this incredible subsidy.

So, just to use the analogy, when I started working, I got paid $1.35 when I was a kid. I'm sure there are many people who would still like to just pay $1.35 for a kid to work in the supermarket, but they can't do it because time moves on—unless you're a cattleman, where they have locked that minimum price into a hermetically sealed, cryogenically frozen price, $1.35. That's great, except for the Federal taxpayer who cannot collect all of the money they need.

Or should we just say, for the sake of discussion, that you happen to have a rent-controlled apartment in New York City. The rent was set back in 1986 or 1976, and now the markets have raised that price up to perhaps $4,000. The Republicans would say, well, rent control, that's good; we like keeping the price that way because it benefits a certain class of people. And I understand the Republican philosophy of freezing in prices that way—keeping the minimum wage as low as possible, keeping the rent control price for an apartment as low as possible. I understand the government intervention role of the Federal Government not allowing the free market to determine the price of something. But here what happens is that it balloons the Federal deficit because people aren't able to collect what we absolutely know to be the price to graze for a cow per day. We know what the price is because, in the adjoining land in Colorado or Utah or in Montana or in Washington State, we know what the State is charging on State public lands.

So this is just an attempt to give the Department of the Interior the ability to raise by $1—not all the way up to $10, not all the way up to $7, but just $1 from $1.35 up to $2.35—just as a little experiment just to see what happens out there in the market when people actually have to pay something that even remotely approximates what the price to graze would be.

At this point, Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield 4 minutes to the gentleman from Idaho (Mr. LABRADOR), the author of the title of this bill.

Mr. LABRADOR. Mr. Chairman, I rise in strong opposition to this amendment, and let's talk about some facts and some figures and some numbers.

The good gentleman from Massachusetts continues to say that we need to treat this land the same as private land. The thing that's really fascinating to me is that we have in Colorado and Utah and Idaho many people who would like to actually do their grazing on State lands or private lands, but the difference is that in Massachusetts only 1.6 percent of the land is actually Federal land. In fact, if you look at the acreage, 81,000 acres in Massachusetts are Federal lands. That's why they can actually rely on many other things for their grazing and many other things that they do.

In Idaho, 68 percent of the land is Federal land. In fact, we're talking about 32.5 million acres in Idaho that are actually having to be managed by the Federal Government and that we have to deal with on a daily basis in the State of Idaho.

I think most grazers, most producers would actually like to be doing it on State lands where they actually will be paying more, but they actually receive more benefit for being on the State-owned lands than the State-managed lands. My question to the gentleman is: Why doesn't he allow Idaho and other States in the West to do what we want to do, which what we want to do is we actually want to manage our own lands. We have been asking that for a long time.

But it's interesting to me that the States that only have 1.4 percent of Federal lands continue to tell the States that have 68 percent of Federal lands that they cannot manage their own land. If we were allowed to manage our own lands, we would actually be able to charge a little bit more, but we would do away with all the NEPA requirements and all the other requirements that we have to deal with right now when we're on Federal lands.

So I think it's a little bit hypocritical for somebody to come here to the House floor and object to something that they don't even have to deal with in their own State.

□ 1600

Mr. MARKEY. Would the Chair please inform us as to how much time is remaining?

The CHAIR. The gentleman from Massachusetts has 1½ minutes remaining, and the gentleman from Washington has 2½ minutes remaining.

Mr. MARKEY. I will, at this point, continue to reserve the balance of my time.

Mr. HASTINGS of Washngton. Mr. Chairman, I would advise my friend from Massachusetts that I am the last speaker on this amendment, so if he's prepared to close, I'll close.

Mr. MARKEY. I yield myself the remainder of my time.

So this argument that's being made by the Republicans is nonsensical. What you're saying is, that in your home State, on State land, you charge 10 bucks or 7 bucks to the cattlemen to graze. But on Federal land it's only a buck 35 in your State. And your answer to raising the price for cattlemen is that we should be having a debate over whether or not the State of Colorado or Montana controls all of the Federal land in your State. Then you'll begin to debate whether or not cattlemen should get away with only a buck 35?

You know, you're giving new definition to the term ''free range beef.''

You're allowing for the cattlemen in these States to get away with murder, and you're not even debating the issue of how they get away with this.

That's all we want from you. Tell us why you think they deserve a buck 35. You don't even want to reach that issue. You want to go off on the secondary issue of how much land in each State is controlled by the Federal Government, which is not what we are debating. We're debating how cattlemen get away with this bargain basement price that then comes to every other State to make up the difference in the Federal deficit because you're unwilling to collect it.

Meanwhile, you say to Grandma, higher rates for Medicare. You say to kids in school, higher payback for the loans that you take out. But for the cattlemen in your home State, somehow or other you don't understand that this is a debate that goes to the heart of why it is the people are very unhappy with the way the Federal Government operates.

I yield back the balance of my time.

ANNOUNCEMENT BY THE CHAIR

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

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

Mr. Chairman, this is a very interesting debate. But let's just put some facts as to what this amendment would do. It would amount to a nearly 75 percent increase on the fees for public land grazers. Now, let me emphasize the word ''public land,'' because we hear this all the time, and the idea is that public land is owned by all Americans, even people that live in States where there's not any Federal lands.

But I would just, Mr. Chairman, advise my colleagues that people that live on public lands own the public lands too. If the first argument is correct, then the second argument is also correct.

What is interesting about this grazing fee debate is, if this gazing fee is raised, it could potentially put livestock producers out of business. Now, maybe that is what the goal is of my good friend from Massachusetts, because that is certainly the stated goal of some environmental extremist groups.

What is also interesting and, as was pointed out by my colleague from Idaho, when you operate on Federal lands you are subjected to endless litigation and review stemming from NEPA and outside attacks by environmental groups.

But probably more important, and this is the distinguishing part on this whole debate: some people claim that these ranchers are subsidized. But the fact is, when the West was settled, we were never given an opportunity to buy these lands for State purposes, and they remained in Federal control. And so as a result, everybody has a say in public lands.

What my colleague from Idaho is simply saying is, if we had control of our public lands, whether it's State land or private or county, we would probably manage it better. But we don't have that opportunity because we were never given the opportunity. And so, as a result, we have to fight off these huge increases that come from people that probably have a different notion, different idea of what it's like.

So I think this is an ill-advised amendment, and I urge its rejection.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF UTAH

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–539.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1401, 1402, and 1403, and insert the following:

SEC. 1401. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) SHORT TITLE.—This section may be cited as the ''National Security and Federal Lands Protection Act''.

(b) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border, that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(c) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have access to Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that assist in securing the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of fences.

(3) Use of vehicles to patrol.

(4) Installation, maintenance, and operation of surveillance equipment and sensors.

(5) Use of aircraft.

(6) Deployment of temporary tactical infrastructure, including forward operating bases.

(d) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(e) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture;

(2) any additional authority to restrict legal access to such land; or

(3) any additional authority or access to private or State land.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes

(g) SUNSET.—This section shall have no force or effect after the end of the 5-year period beginning on the date of enactment of this Act.

The CHAIR. Pursuant to House Resolution 688, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, there are basically four elements that are involved in the amendment that I am proposing. The first one is to narrow the list of laws that can be waived by the Border Patrol on these areas to maintain operational control of the land. Presently, it lists 36 bills that could be waived.

Now I want you to know that that number was not irrational. It was not picked out of the air. Thirty-six bills have precedence of what this House has already done.

When the government was trying to finish the fence in California, there were litigations and environmental laws that were prohibiting them from doing that, so the Department of Homeland Security recommended the 36 laws that they thought did or could impede the building of that particular wall along our border. Congress agreed with them and, for the purpose of concluding that wall, we allowed them to waive those 36 rules, regulations, or laws.

Those are the same 36 in this bill. It's nothing additional to it. Well, I take that back. Democrats add one bill in committee that was not part of the original list, and that was fine as well.

What we are now trying to do is admit that about 20 of those really are not going to be a problem, but 16 still could be. So it limits it from 36 to 16, as those that can be waived for the purpose of allowing Border Patrol and Homeland Security to do the job for which they are paid to do.

The second thing, it specifically prohibits any additional access to private property. It eliminates the possibility of Border Patrol reducing public access to any Federal lands, and that includes for purposes of hunting or fishing or off-road vehicles.

It adds a provision to ensure that we are to protect tribal sovereignty, that nothing in this bill may supersede, replace, negate, or diminish treaty obligations or agreements with Indian tribes. Existing practices and negotiation cooperation between the Border Patrol and the tribes will continue.

It also clarifies what is the purpose of operation control, which is to prevent all unlawful entry into the United States, including entry by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

There are three reasons why this amendment, indeed, the underlying bill is important. Number 1, a sovereign country controls its own borders. We are not doing that here. We need to.

Number 2, we will never solve our overall immigration issue until we can guarantee that we can, in some way, lower the anger and the rage and the anxiety that is out there. If indeed we can look at our fellow citizens and, with a straight face, say we have control of the border, all of a sudden the ability of solving other problems, some of which are easy and some of which are complex, the ability to do that increases.

And third, and most importantly, the violence against women—the women who are raped along these trails, whose garments are left on these trees as a trophy to the coyote who raped these women, these woman who have absolutely no other source to go, they have no one to complain to, they have no one to ask for protection. This must stop.

The Border Patrol can't stop this practice. Right now, what we're doing is simply putting up signs saying areas are off limits to Americans, but that does not stop this practice. And unless we can give the Border Patrol access to this territory so they can stop this practice, we're not doing anything about it. We are not solving this particular issue.

I'll add one more time. We have talked about the ''drone zone'' in here, which is something, once again, it's cute and inaccurate. This amendment has nothing do with the ''drone zone.'' It does not authorize, nor does it stop drones. It doesn't authorize black helicopters or stop them, or red-headed stepchildren, or illegal Druids coming to this country as well.

But what it does do is allow our professional Border Patrol to have the same rights of access to Federal land that they have on private property and State land. And it says that we will control our border, we will solve our immigration problem, and we will stop the rape trees. We will stop this heinous practice from going forward, and we will do it positively. That's the purpose of this amendment to this title of the bill.

I reserve the balance of my time.

□ 1610

Mr. MARKEY. I rise in opposition to the amendment.

The Acting CHAIR (Mr. YODER). The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. This amendment is just further evidence that the problem this drone zone bill claims to be solving does not exist and that the underlying bill is a dangerous overreach.

When this legislation was first introduced, we were told that it was necessary to establish this 100-mile drone zone around the entire United States—east coast, west coast, Hawaii, and Alaska. That version of the drone zone looked like a giant red belt surrounding the entire country. Then supporters of the bill decided that they'd gone too far. The bill was altered to say the drone zone would only cover a 100-mile stretch along our northern and southern borders and along the eastern border of Alaska. Even with that change, we were still assured that a blanket waiver of the full list of 36 bedrock environmental laws was absolutely necessary for our border security.

Now we have a further change.

This amendment will reduce the list of laws weighed by the drone zone from 36 environmental laws down to 16 environmental laws. This is the ever-shrinking bill. It gets smaller and smaller as people realize that environmental laws are not the problem when it comes to border security and that the zone created by this bill would harm the environment and individual freedoms for millions of Americans.

The Bishop amendment proves that the underlying bill has always been an extreme and extremely harmful solution to a problem that does not exist. Perhaps if we give supporters enough time, they can shrink this idea down to waiving parking enforcement in a small area around Tucson. This amendment reduces the damage this bill would do, but it does not begin to prevent that damage. Waiving 36 laws was an unnecessary overreach, and waiving 16 laws would be as well.

Limiting the scope of this terrible bill is a small step in the right direction, so there is no reason to oppose this amendment.

I reserve the balance of my time.

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

Mr. MARKEY. Would the Chair please inform the Members as to the time remaining on both sides.

The Acting CHAIR. The gentleman from Massachusetts has 3 minutes. The gentleman from Utah has 30 seconds.

Mr. MARKEY. I yield 1 minute to the gentleman from California (Mr. FILNER).

Mr. FILNER. I thank you, Mr. MARKEY.

I rise in opposition to the bill, especially to the border provisions of the bill, and I rise in support of the Grijalva amendment that is going to be coming.

I represent the entire California-Mexico border. I know how harmful this bill can be. As I read the exemptions from laws, I can see—I don't know—undocumented child labor filling in wetlands.

I mean, come on.

Our natural beauty depends on these protections. These laws protect us, and the Department of Homeland Security, as I understand it, is not in support of these provisions. They testified in July of 2011:

> The U.S. Customs and Border Protection Agency enjoys a close working relationship with the Department of the Interior and with the Department of Agriculture that allows us to fulfill our border enforcement responsibilities while respecting and enhancing the environment.

This excessive exemption from a century's worth of environmental protection laws would affect public lands and national parks all across the country.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield the gentleman an additional 30 seconds.

Mr. FILNER. This would put in danger important parks and monuments, not only in my area, but those such as the Statue of Liberty National Monument, Cape Cod in Massachusetts, Point Reyes in California, Cape Hatteras National Seashore in North Carolina, and scores of others. We must protect these important national parks, recreation areas, and wilderness lands for future generations.

Mr. Chairman, I also invited the gentleman, Mr. DENHAM, whose bill this is, to join me at the border to see what we would be protecting. I don't think he ever answered my letter.

Mr. MARKEY. I am the final speaker on our side if the gentleman from Utah is ready to conclude debate.

Mr. BISHOP of Utah. I am prepared to close when you are ready to close.

Mr. MARKEY. I yield back the balance of my time.

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. BISHOP of Utah. The 36 laws that were originally placed were there when Homeland Security asked for those and when Congress agreed to it. It is the precedent. I am lowering it to 16 out of benefit to you.

I have been on the border. I have been on the border, and I have seen the rape trees. This must stop. I have also been on the border to see there are 48 different organizations that have endorsed the underlying bill, including the National Association of Former Border Patrol Officers, the National Border Patrol Council, the local Border Patrol Council in Arizona, and the National Association of Police Organizations. Those who work this realize the importance of this, and that's why they are supporting it.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–539.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title XIV.

The Acting CHAIR. Pursuant to House Resolution 688, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Out of all the titles cobbled together under this one piece of legislation, title XIV is the most alarming, so I have introduced this amendment to strike it all from the bill.

Not only is it the text of one of the most controversial bills introduced in this Congress, its intent is to expand the scope and the authority of one government agency to achieve a loosely defined objective, an agency that has not even asked for this expanded authority. Title XIV of this legislation would supersize Customs and Border Protection so they could seize control of Federal lands within 100 miles of the northern and southern borders. It would be at their discretion and without any recourse by the public to be able to counter that.

If this bill were to become law, families who use our parks, forests, and wildlife areas in all of these States could be subject to increased surveillance without any notification. We already know what happens to the economic welfare of families and what has happened to the economies of the States of Alabama and Arizona when States pass hostile anti-immigrant laws. This takes the same concept and spreads it across our northern and southern borders.

Right now, Customs and Border Protection isn't suffering from a lack of authority. If anything, it is suffering from a lack of focus. The ability to access Federal lands isn't causing Border Patrol problems. In the most recent GAO report, radios that don't work and the lack of infrastructure and personnel are what they have cited as being barriers.

Yesterday, during the debate over the rule for the bill, the sponsor of the legislation that has become title XIV claimed that we can't deal with the issue of immigration reform before securing our land borders. He went on to say that people are angry about the situation at the border and that, before this anger is addressed, we can't do anything about our broken immigration system, so we are going to pay some lip service to border security to advance what is essentially an anti-environment and anti-immigrant agenda.

That should make many of us angry because it adds to the division in our Nation and to the sense of millions of families in the border region and across this country who feel they are political pawns in a system—in a game—that is never ending. Millions of people live along these 100 miles, and they deserve the same protection from environmental pollution or government overreach that the rest of us in the country enjoy.

The original bill granted DHS a waiver of 36 laws. The recently introduced amendment would allow that list to be 16. The fact that we were able to concede half of the original list proves that the bill is, from the outset, an unnecessary overreach. The 16 laws left in the legislation are not minor statutes. They include the National Historic Preservation Act, the Endangered Species Act, the Antiquities Act, the Wilderness Act, and the Administrative Procedure Act.

The solution to a broken system along the border is comprehensive immigration reform. If you took that 100-mile zone along the southern border and made it into a State, it would lead the Nation in poverty, unemployment, educational attainment, the lowest wages, the most uninsured, and the lowest economic growth. Yet this legislation and title XIV, once again, take this region, and instead of providing support and comprehensive attention to it, we further marginalize and isolate it.

□ 1620

All the laws that are being waived and eliminated are all landmark pieces of legislation that guide and manage our Federal lands, resources that belong to every single American taxpayer. Throwing away decades of law that help protect and preserve our Federal lands makes no sense. The supporters of this legislation will say it is necessary to address the horrors and violence that occur on the border. That's not true. It's back-door amnesty for extremist anti-environmental groups, industries, and developers who lust after our public resources for private profit at taxpayers' expense.

That is why I've introduced my amendment to strike the title from the bill. I encourage its support and reserve my time.

Mr. BISHOP of Utah. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I hope I will not take the 5 minutes of this time.

With all due respect for my good friend from Arizona, for whom I have a great deal of admiration, I would emphasize again that the title of this section is National Security and Federal Lands Protection. It does not extend to any other property except those that belong to the Federal Government on our borders. It has a 5-year limitation on it. There is a sunset provision so it can be reviewed. But more importantly, the elements that are in this particular title are there for a reason, there is precedent for them. One hundred miles is what the legal definition of border land actually is. The 36 laws—I'm ready to go back to those. The 36 laws were the laws that were presented by the Department of Homeland Security as those potential laws that could cause them damage, and this Congress agreed to that precedent. Congress established that they could be waived for that specific purpose.

I want to once again tell you what Secretary Napolitano said about this particular issue of border security when she first came into office: The removal of cross-border violators from public lands is a value to the environment.

You want to protect the environment, get the drug cartels and the human traffickers off of that particular area. It is the removal of those violators from public lands that is a value to the environment, as well as to the mission of the land managers, which is once again the 48 groups that talk about and support this. They come from conservation groups, they come from agriculture groups, but more importantly, they come from the Border Patrol agents themselves. Those are the ones who have come forth and testified that they need special ability of having access to this land if we're going to control the border, which is what a sovereign country does.

Mr. Chairman, this is the word of what their responsibilities are. This is what we have told the Border Patrol they have to do: Prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders

of the United States. That's in this title. That's their job. That's what the Border Patrol has requested to do.

All we need to do is give them the tools they need to be able to accomplish that, tools on Federal land that will mirror the tools they have on private and State lands. Let them do their job. They need access to this area to patrol it and to apprehend the bad guys. Give them that opportunity.

With that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, if I may inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Arizona has 30 seconds remaining.

Mr. GRIJALVA. Mr. Chairman, I yield the remaining time to the gentleman from North Carolina, the ranking member of DHS appropriations, Mr. PRICE.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in strong support of the Grijalva amendment, which would restore proper environmental oversight and protections to construction performed by the Border Patrol.

Even with the Bishop amendment just adopted, the bill waives 16 different environmental laws—for example, the National Environmental Policy Act and wildlife refuge laws—to give DHS operational control over these lands.

Mr. Chairman, that would mean that on our northwest border, the Border Patrol would have largely unfettered access, and environmental protections would be waived, within 10 miles of Seattle. In Arizona, this would encompass all of Tucson. In New York, land in Buffalo and Syracuse could come under control. These are sweeping and unnecessary provisions, and the Department of Homeland Security has said it does not want them.

Having worked on this issue for years as chairman and ranking member of the Homeland Security Appropriations Subcommittee, I urge my colleagues to adopt the amendment.

Mr. BISHOP of Utah. Mr. Chairman, can I just inquire if there is any time left from either side?

The Acting CHAIR. The gentleman from Utah has 2¼ minutes remaining. The time of the gentleman from Arizona has expired.

Mr. BISHOP of Utah. Let me just say once again, I appreciate the arguments that are given.

When I have been on the border and have been able to talk to the people who work on the border about what they need to protect the border, once again they're telling us that they need the access. The ability to waive these law, these rules, these regulations is what we have done in the past. Congress already did it once before. There is precedent. This is not something that is new, but this is what is definitely needed. This is the right thing to do.

I urge you to reject this particular amendment.

And in all fairness, Mr. Chair, I would like to yield 30 seconds to the gentleman from Arizona so he has a chance to close on his particular amendment.

Mr. GRIJALVA. Thank you, Mr. Chairman. I appreciate your courtesy.

I would at this point say that I appreciate the time, and I'll wait to call for a vote. Thank you very much.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

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

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

AMENDMENT NO. 6 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–539.

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 104, after line 8, insert the following new subsection:

(e) LIMITATION ON APPLICATION WITH RESPECT TO HAWAII.—Subsections (a) and (b) shall not apply with respect to activities by U.S. Customs and Border Protection on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture in Hawaii.

The Acting CHAIR. Pursuant to House Resolution 688, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

Ms. HANABUSA. Mr. Chair, first I would like to begin by saying that we've had my amendment before the committee and the representations that were made with it were that it did not cover Hawaii. I'm here to basically reaffirm that on the floor of the House.

This all started because when I was home, I was the speaker at the 50th anniversary of the USS Arizona Memorial. As I sat there, I began to understand that, in fact, the National Park Service has jurisdiction over the *Arizona* and all of its facilities in Pearl Harbor. So it caused me to go back and check exactly how many lands are under the jurisdiction of the National Park Service and Fish and Wildlife, which would fall within this law.

There are 357,772 acres in the National Park Service and 298,980 acres under the Fish and Wildlife Service. As you all know, with 100 miles from any border, it would cover the whole State of Hawaii. But, Mr. Chair, I believe with the representation from the gentleman from Utah, I would be willing to withdraw my amendment if I'm again assured that this is not intended to cover Hawaii.

Mr. BISHOP of Utah. Will the gentlelady yield?

Ms. HANABUSA. I yield to the gentleman from Utah.

Mr. BISHOP of Utah. Yes, Hawaii was taken out in committee. It is not put in with the amendment that was just passed.

Ms. HANABUSA. With that, Mr. Chair, I respectfully ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Chair understands that amendment No. 7 will not be offered.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–539 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DEFAZIO of Oregon.

Amendment No. 3 by Mr. MARKEY of Massachusetts.

Amendment No. 5 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 236, not voting 12, as follows:

[Roll No. 383]

AYES—184

Ackerman	Clay	Frank (MA)
Andrews	Cleaver	Fudge
Baldwin	Clyburn	Garamendi
Barber	Cohen	Gerlach
Barrow	Connolly (VA)	Gonzalez
Bartlett	Conyers	Green, Al
Bass (CA)	Cooper	Green, Gene
Becerra	Costa	Grijalva
Berkley	Costello	Gutierrez
Berman	Courtney	Hahn
Bishop (GA)	Critz	Hastings (FL)
Bishop (NY)	Crowley	Heinrich
Blumenauer	Cuellar	Higgins
Bonamici	Cummings	Himes
Boswell	Davis (CA)	Hinchey
Brady (PA)	Davis (IL)	Hinojosa
Braley (IA)	DeFazio	Hochul
Brown (FL)	DeGette	Holden
Butterfield	DeLauro	Holt
Capps	Deutch	Hoyer
Capuano	Dicks	Israel
Cardoza	Doggett	Jackson Lee (TX)
Carnahan	Doyle	Johnson (GA)
Carney	Edwards	Johnson (IL)
Carson (IN)	Ellison	Johnson, E. B.
Castor (FL)	Engel	Jones
Chandler	Eshoo	Kaptur
Chu	Farr	Keating
Cicilline	Fattah	Kildee
Clarke (MI)	Filner	Kind
Clarke (NY)	Fitzpatrick	

Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—236

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

NOT VOTING—12

Altmire
Davis (KY)
Dingell
Hayworth
Huizenga (MI)
Hurt
Jackson (IL)
Lewis (CA)
Miller (FL)
Ryan (OH)
Sánchez, Linda T.
Young (FL)

□ 1655

Messrs. SMITH of Texas, BARTON of Texas, and TIPTON changed their vote from ''aye'' to ''no.''

Messrs. PETRI, MCDERMOTT, COSTA, and BARTLETT changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mrs. EMERSON was allowed to speak out of order.)

WOMEN'S CONGRESSIONAL SOFTBALL

Mrs. EMERSON. Mr. Chairman, my softball co-captain, my colleague from Florida, DEBBIE WASSERMAN SCHULTZ, and I would like to remind all of you, all of our colleagues, that tomorrow night, once again the bicameral, bipartisan softball team plans to beat the Washington news media in a softball game; and we want to make sure that all of you know the details so you can join us in the very oppressive heat that we will be playing in.

I yield to my co-captain.

Ms. WASSERMAN SCHULTZ. I thank the gentlelady for yielding. We are really excited. This is the fourth annual congressional women's softball game. We are the defending champions. We beat the Bad News Babes last year. We have expanded our team. We have the gentlelady from Alabama who's a ringer this year, Mrs. ROBY. You should come out and see her play; she's got some skills.

So even though the press corps has been talking some good trash, and they're even apparently practicing on the beach while at the G–20, we have jelled as a team, come together in a bipartisan, bicameral way. And between our superior fielding, hitting, and strategic approach to the game, we look forward to continuing as the champions of the Annual Congressional Women's Softball Game. It's 7 p.m. tomorrow night, Watkins Recreation Center. Come on out, encourage your staff. This year it is a $10 entry fee, but all for a good cause, to raise money for the Young Survival Coalition, which is an organization that raises awareness and supports young survivors of breast cancer.

And I would just conclude by thanking all Members and staff, as a breast cancer survivor myself, and a young one at that, it is so personally and deeply meaningful to me that the congressional family is always so supportive of the women Members. Thank you to my congressional sisters. You guys are awesome.

Mrs. EMERSON. And I want to just thank MARTHA ROBY for helping our average age go way, way, way down.

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 268, not voting 8, as follows:

[Roll No. 384]

AYES—156

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

NOES—268

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—8

Altmire
Dingell
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1702

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 247, not voting 8, as follows:

[Roll No. 385]

AYES—177

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

NOES—247

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

NOT VOTING—8

Altmire
Dingell
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

Mr. BISHOP of Georgia changed his vote from ''aye'' to ''no.''

□ 1707

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes, and, pursuant to House Resolution 688, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1710

MOTION TO RECOMMIT

Mr. PERLMUTTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PERLMUTTER. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Perlmutter moves to recommit the bill, H.R. 2578, to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, insert the following:

TITLE XV—REDUCING THE RISK OF WILDFIRE; PROTECTING TRIBAL SOVEREIGNTY; MAKE IT IN AMERICA

SEC. 1501. REDUCING THE RISK OF WILDFIRE.

The Secretaries of Agriculture and Interior are authorized to enter into contracts or agreements with a State to permit the State to treat insect-infected trees and remove hazardous fuels on Federal land located in the State, in order to reduce the risk of wildfire. Priority shall be given to the protection of homes, schools, and healthcare, nursing, and assisted living facilities.

SEC. 1502. PROTECTING TRIBAL SOVEREIGNTY.

Nothing in this Act shall override Tribal sovereignty, including with respect to Native American burial or other sacred sites.

SEC. 1503. MAKE IT IN AMERICA.

The Secretary of the Interior shall ensure that all items offered for sale in any gift shop or visitor center located within a unit of the National Park System are produced in the United States.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. PERLMUTTER. Mr. Speaker, I rise in support of this motion to recommit. It is the final amendment to the bill. It will not kill the bill and, if adopted, the House will vote on final passage in this series of votes.

The amendment has three parts. They are short and direct. The first involves wildfires and the ability and the authority of the Secretary of the Interior and the Secretary of Agriculture to enter into contracts with the States to clear hazardous fuel to prevent wildfires, as well as treat insect-infested trees. And we'll get into that.

The second part is very clear. Just says, nothing in this act shall override tribal sovereignty, including with respect to Native American burial or other sacred sites. It speaks for itself.

Finally, it's about making sure that in the parks and in the gift shops, that the goods that are sold there are made in America.

So let's just begin with the wildfire piece. As Smokey the Bear says, ''Only you can prevent forest fires.''

Right now, across the West and throughout America we have wildfires dotting our country: 500,000 acres across our country are on fire right now, in Alaska, Arizona, California, Nebraska, Nevada, New Mexico, North Carolina, Wyoming, and in my home State of Colorado.

Right now we're battling a very big wildfire just north of where I live called the High Park fire—60,000 acres are currently burning. We have about 50 percent contained through the efforts of 1,800 firefighters, some of the best Federal firefighters we have, as well as State and local firefighters who are doing a tremendous job in a situation where we have very dry conditions, record temperatures, and a very erratic fire.

Now, what we can do and what is missing from this bill is any public policy concerning what to do with insect-infested forests. And we've had a terrible infestation of what they called the pine beetle. And it makes tremendous fuel.

And so what this bill does is it gives the authority to the Agriculture Department and the Interior Department to work with the States to clear these insect-ravaged forests. We need to have that done to prevent forest fires in the future. It's as simple as that. It ought to be very easy for everyone to support that.

Secondly, again, this amendment says specifically, the act shall not override tribal sovereignty. We've reached treaties with the various tribes. Those things control, not this particular bill, and we state that specifically.

Finally, we address something that I think irks many of us in this Chamber. When we have a visitors center in our national parks which is selling goods made in other countries, it just seems wrong. We want to make things in America. Manufacturing in America is key to this country's economic growth and prosperity. We have a saying, ''If we make it in America, we'll make it in America.''

So three very simple, very direct amendments to this bill which make the bill much better, address public policy that is not addressed in the bill that should have been addressed in the bill, especially the wildfire mitigation piece, something that you would have expected to be right in the heart of this thing after Texas was ravaged by so many wildfires last year, and we knew dry conditions existed across the West.

So I urge my colleagues, Democrats and Republicans, to support this commonsense amendment to mitigate and prevent forest fires, to make sure that tribal sovereignty is respected, and that we make things in America so that we make it here in America.

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

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I've had an opportunity several times to come down here to debate the motions to recommit, and I've prefaced virtually every time I've come down here with, history repeats itself.

Mr. Speaker, history is repeating itself one more time. Why do I say that? Because probably the biggest issue that Americans are concerned about is jobs. This is another effort that deals with American jobs by dealing with regulation that slows down economic activity.

So what does the other side do? They try to put up another impediment to a bill that is straightforward, had transparency in committee, had a full debate in committee, and put together to debate on the floor. It's the same arguments that we have that, frankly, are meaningless.

Now, to the essence of what the gentleman's amendment does. All of this is essentially redundant. It's in law right now.

Is this just a political move on the minority's part? Is that what it is?

If the issue is really trying to deal with firefighting in the West, I would remind this body, Mr. Speaker, that 2 weeks ago, we passed legislation to allow the Forest Service to buy tankers to fight forest fires. We've already done that.

All I can say, Mr. Speaker, is that history repeats itself. Let's vote down this motion to recommit and let's vote for the jobs bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. PERLMUTTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend the rules and pass H.R. 2938.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 10, as follows:

[Roll No. 386]

AYES—188

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

NOES—234

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

NOT VOTING—10

Altmire
Cummings
Dingell
Huizenga (MI)
Issa
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1735

Messrs. ROYCE, COFFMAN of Colorado, and TIPTON changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. MARKEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 188, not voting 12, as follows:

[Roll No. 387]

YEAS—232

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—188

Ackerman
Amash
Andrews
Baca
Baldwin
Bartlett

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

NOT VOTING—12

Altmire
Cummings
Dingell
Huizenga (MI)
Issa
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Schock
Schwartz
Young (FL)

□ 1742

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 387, had I been present, I would have voted "nay."

GILA BEND INDIAN RESERVATION LANDS REPLACEMENT CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2938) to prohibit certain gaming activities on certain Indian lands in Arizona, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 343, nays 78, answered ''present'' 2, not voting 9, as follows:

[Roll No. 388]

YEAS—343

Ackerman
Adams
Aderholt
Akin
Alexander
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (IL)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinchey
Hinojosa
Holden
Huelskamp
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
Latta
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Watt
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (IN)

NAYS—78

Amash
Barber
Bass (CA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Castor (FL)
Cicilline
Costello
Critz
Davis (CA)
DeFazio
DeGette
Deutch
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Filner
Frank (MA)
Grijalva
Higgins
Hochul
Holt
Honda
Hoyer
Johnson (GA)
Johnson, E. B.
Keating
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lummis
Lynch
Markey
Matsui
McCarthy (NY)
McClintock
McDermott
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Owens
Paul
Pingree (ME)
Polis
Price (NC)
Ryan (OH)
Sarbanes
Schakowsky
Scott (VA)
Serrano
Sewell
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Waters
Waxman
Welch
Yarmuth

ANSWERED ''PRESENT''—2

Chu
LaTourette

NOT VOTING—9

Altmire
Dingell
Hirono
Huizenga (MI)
Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda T.
Young (FL)

□ 1749

Messrs. LEVIN and WELCH changed their vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Mr. Speaker, on rollcall No. 388, had I been present, I would have voted "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4480, DOMESTIC ENERGY AND JOBS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112–540) on the resolution (H. Res. 691) providing for consideration of