

Rogers (KY)	Shuster	Upton
Rogers (MI)	Simpson	Van Hollen
Rohrabacher	Skelton	Visclosky
Ros-Lehtinen	Slaughter	Walberg
Roskam	Smith (NE)	Walden (OR)
Ross	Smith (NJ)	Walsh (NY)
Roybal-Allard	Smith (TX)	Walz (MN)
Royce	Smith (WA)	Wamp
Ruppersberger	Snyder	Wasserman
Ryan (OH)	Solis	Schultz
Ryan (WI)	Souder	Waters
Salazar	Space	Watson
Sali	Spratt	Watt
Sánchez, Linda T.	Stark	Waxman
Sanchez, Loretta	Stearns	Weiner
Sarbanes	Stupak	Welch (VT)
Saxton	Sullivan	Weldon (FL)
Schakowsky	Sutton	Weller
Schiff	Tancred	Westmoreland
Schmidt	Tanner	Wexler
Schwartz	Tauscher	Whitfield (KY)
Scott (GA)	Taylor	Wilson (NM)
Scott (VA)	Terry	Wilson (OH)
Sensenbrenner	Thompson (CA)	Wilson (SC)
Serrano	Thompson (MS)	Wittman (VA)
Sessions	Thornberry	Wolf
Sestak	Tiahrt	Woolsey
Shadegg	Tiberi	Wu
Shea-Porter	Tierney	Wynn
Sherman	Towns	Yarmuth
Shimkus	Tsongas	Young (AK)
Shuler	Turner	Young (FL)
	Udall (NM)	

## NAYS—1

Paul

## NOT VOTING—17

Abercrombie	Ferguson	Rush
Boucher	Granger	Shays
Buyer	Larson (CT)	Sires
Cubin	Miller, George	Udall (CO)
Diaz-Balart, L.	Neugebauer	Velázquez
Feeney	Rothman	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remaining in this vote. Two minutes remain.

□ 1315

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1665

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1665.

The SPEAKER pro tempore (Mr. SARBANES). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2016.

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

There was no objection.

## NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1084 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. 2016.

□ 1317

## 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. 2016) to establish the National Landscape Conservation System, and for other purposes, with Mr. HOLDEN in the chair.

The Clerk read the title of the bill.

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

The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, H.R. 2016 is simple, straightforward legislation. The bill would provide statutory authorization for a conservation system which was established administratively nearly a decade ago. This is not a land management policy bill, rather, it seeks to finally grant the National Landscape Conservation System the congressional recognition that it truly deserves.

The NLCS covers approximately 26 million acres, about 10 percent of the land administered by the Bureau of Land Management, including all national scenic and historic trails, national conservation areas, national monuments, wilderness areas, wild and scenic rivers, and wilderness study areas managed by the BLM.

The individual lists which make up the National Landscape Conservation System are unique and beautiful. Canyons of the Ancients in Colorado, Craters of the Moon in Idaho, Agua Fria and Vermillion Cliffs in my home State of Arizona, these are poetic names for poetic landscapes. And Mr. Chairman, these units are truly nationally significant, ecologically, scientifically and culturally. For example, Agua Fria National Monument is remarkable for its natural splendor, with the Agua Fria River cutting through Sonoran Desert mesas, and for its unique and diverse wildlife, which includes pronghorn antelope, javelina, and the gila monster, among many others. But the monument also preserves significant and intact pueblo ruins, some with more than 100 rooms, terraced agricultural fields, which bear witness to the lives and stories of those that came long before us.

Like Agua Fria, each of the units included within the NLCS was created to conserve unique cultural and natural resources. But while the individual monument or wild and scenic river or other designations which make up the system are about conservation, creation of the NLCS itself has more to do with accomplishing the full mission of the Bureau of Land Management. From 1946 to 1996, very large, new national

monuments created under the Antiquities Act was removed from BLM management and turned over to National Park Service.

The National Landscape Conservation System was created to assure that these valued public lands remain in the BLM system, allowing the agency to manage them and fully realize the conversation aspect of its multiple-use mandate.

The NLCS has been enormously successful. Visitation to these areas is increasing as more people are learning about BLM's spectacular landscapes. From its red rock deserts to its rugged coastlines, NLCS units provide unique and world-class outdoor recreation opportunities for hikers, hunters, anglers, climbers and bird watchers, among many others. Sportsmen consider these areas essential not only for their recreational value, but also because the NLCS is critical to the conservation of fish and wildlife habitat on BLM lands.

Mr. Chairman, opponents of this bill seem to be concerned that it will somehow change or alter the current management of these lands. This is simply not true. Included in H.R. 2016 is a section that specifically states, "Nothing in this act shall be construed to enhance, diminish or modify any law or proclamation (or regulations related to such law or proclamation) under which the components of the system identified in section 3(b) were established or are managed, including but not limited to the Alaska National Interest Lands Conservation Act, the Wilderness Act, the Wild and Scenic Rivers Act, the National Trails System Act, and the Federal Land Policy and Management Act."

After almost a decade of success, it is time for Congress to finally put its stamp of approval on this system by formally authorizing NLCS. H.R. 2016 does nothing more or less than write the NLCS into statute. The bill will not alter management of a single acre of Federal, State or private land. Enactment of this legislation will not change the management of these areas, but it will change the perception; it will not upgrade their protection, but it will upgrade their stature.

The coalition of organizations supporting 2016 is as diverse as the system itself, including environmental groups, the American Hiking Society, the National Council of Churches, American Sportfishing Association, Boone and Crockett Club, National Trust for Historic Preservation, National Wildlife Federation, and the Outdoor Industry Association. The Bush Administration has enthusiastically supported the legislation.

Mr. Chairman, what we have here are uniquely American places that should and must be recognized. The NLCS deserves congressional sanction, and we should grant it.

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

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

You know, there was a time when Pete Rose was trying out to make a baseball team, and the scouting report said that "Rose can't make a double play, he can't throw, he can't hit left-handed and he can't run." The first time Fred Astaire tried to make a movie preview, the report coming back on Fred Astaire was, "he can't act, he's slightly bald, and he can dance a little bit." The Boston Red Sox were reviewing a new outfielder, and the scouting report came back saying, "he's not the Red Sox type." The guy they were actually scouting was Willie Mays. Which simply means, in life, sometimes what we see and sometimes what we're told is not necessarily the reality of situations. As groups and individual Members of Congress are starting to see this bill for what the details are is one of the reasons why we see some of those groups peeling off on their support.

Why, some of the issues we raised in committee, it was said they're not really issues, now there are amendments that have been proposed by the majority party to deal with those so-called "nonissues."

It is said all we're trying to do here is codify and make permanent an institution that's already in existence, but it is much, much more than that. My freshman year, the goal of the freshman class was to try to eliminate waste, fraud and abuse in government. Sometimes I wish we were still doing this because today we have reached the mother lode of waste, fraud and abuse.

This is an entity, the National Landscape Conservation System, which spends money, but it does not hire anyone, it does not fire anyone, it does not write regulations, it does not repeal regulations, it doesn't administer any land, it doesn't manage any land. For the life of me, we have been trying to figure out what this thing does other than spend \$50 million a year to encourage and to bring attention to certain particular areas.

We are told that this bill would not change any of that. This bill apparently does nothing to an entity that does nothing. But I'm going to portend to you that the reason this entity has been so successful so far is simply because it's been under the auspices of the Secretary of the Interior. But if, indeed, we codify this and put this into statute, an entity right now which sticks out on a flowchart like a sore thumb that doesn't really do anything will change, it will change significantly, and all of a sudden it will start to do something. And that's where the danger arises. Because when we wrote down the values of this supposed new system, they are extremely vague, which means, first of all, it opens us up to lawsuits right and left. If the amendment that will be offered later does not pass to try and limit the impact of those lawsuits, we are offering this Nation a great deal of harm and potential peril.

We have spent \$50 million every year on what can best be called a redundant organization, but it actually should be changed. And the question obviously is, will we be spending more in this society? Now, once again, the proponents say nothing will change, it's not going to cost more, CBO says it's not going to cost more, there will be no regulations. The chairman of the subcommittee that sponsored this bill was asked once again at one point in time, will this create more cost, more regulation, and the answer was simply this: Well, you go in to establish the system, and then you go to step two. What that step two is is the fear that happens to be here. The values that have never been identified in this legislation dealing these parts of land deal with such issues as recreation. Amendments to actually define that were not allowed to be discussed. It deals with border security. Amendments to define that were not allowed to be discussed. We will have another border security amendment which, in my estimation, does anything more than establish the status quo as our policy when the status quo is not sufficient.

We will have discussions over grazing issues and energy issues. We should have had discussions over private end holding issues. All of those should be defined as part of the values that we are talking about here.

The Department of Interior has been very positive about this. They said they support this concept because it allows them to do what has always been done that is the difference between BLM monuments and parks versus national park monuments and parks, and that is, the value of multiple use. But in committee, when we tried to amend the language so that multiple use was a value to be maintained, it was defeated on a party line vote. And when we went to the Rules Committee and tried to make sure that we had a chance to discuss this, to put in multiple use as the value that is significant, it was again denied the ability even to discuss that on the floor. And that is the sum and substance that is different.

Now, we are dealing with a system that impacts people and their lives. It was said by Sir Henry Maine, "Nobody is at liberty to attack civil property and say at the same time they value civilization because the history of two can never be disentangled." And that is where we're at.

Unless this bill is significantly modified, this bill will do harm to people. Unless this bill is changed and this system is moved back, it will do significant harm to people.

We have problems within this entity right now. Rather than solve any of these problems, it provides vague and fluffy language that will make the situation worse. It does not solve the problems, but it does create a permanent statutory entity without any solutions and, indeed, goes the other direction and makes permanent solutions

to our problems more difficult actually to accomplish.

This simply is a bill whose time is not now. This is a bill that does not tell us exactly what to expect. It opens up the Federal Government to all sorts of potential lawsuits, and doesn't actually come up with a value that makes BLM land different than Park Service land, which is multiple use. That phrase has to be in that bill if this bill has any chance of having any some rationality of purpose.

With that, I reserve the balance of my time.

□ 1330

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the chairman of our full committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I wish to commend the chairman of the Subcommittee on National Parks, Forests and Public Lands, the gentleman from Arizona (Mr. GRIJALVA), for his excellent leadership on this issue. He is the sponsor of it. I rise as chairman of the Committee on Natural Resources to lend my strong support thereto.

The National Landscape Conservation System was administratively established 8 years ago. It is comprised of Western public lands under the jurisdiction of the Bureau of Land Management that have been placed in conservation status either by presidential proclamation or by acts of Congress.

The BLM refers to the NLCS as "Landscapes of the American Spirit." And the agency is enthusiastic about this system. And rightly so because it works. It works to highlight some of the unique features of these lands, and it helps BLM shed its image of simply being the Bureau of Livestock and Mining.

The pending legislation is supported by the Bush administration. I know that may raise some suspicion in certain quarters, but I can assure those of my colleagues who may have reservations with the bill due to this fact that the Natural Resources Committee has thoroughly examined the legislation. And under Chairman GRIJALVA's leadership, I'm here to assure you that there are no hidden provisions of this legislation to grow even more oil rigs on our already pressed public lands or to overthrow past presidential proclamations creating national monuments. This bill is a congressional stamp of approval of the existing NLCS system.

Each of the 850 or so areas that are part of this system came into it through different avenues. Many were designated by Congress as wilderness areas or national wild and scenic rivers, national conservation areas, or national historic and scenic trails. Others were designated by Presidents as national monuments under the Antiquities Act. As such, each element of the NLCS carries with it its own management regime. There is no one size fits all. The pending legislation does not change that.

And to make that point crystal clear, the bill contains a savings clause. It is a sweeping savings clause stating that nothing in this legislation enhances, diminishes, or modifies any law or proclamation under which the various components of the NLCS were established.

Later during debate on this bill, an amendment will be offered by the floor manager, the gentleman from Arizona (Mr. GRIJALVA), which will further elaborate on the savings clause by specifying nothing in this legislation can impede Homeland Security. I urge my colleagues to support that amendment. In addition, there will be an amendment offered by the gentleman from Pennsylvania, Mr. JASON ALTMIRE, to further elaborate on the savings clause as it relates to hunting, fishing, trapping, and recreational shooting that may take place on NLCS lands. This is a constructive amendment and one which we worked with my good friends at the National Rifle Association, and I urge my colleagues to support that amendment as well.

There are other amendments which fall under the category of putting forth a solution in search of a problem which simply does not exist, and I would urge opposition to those amendments.

So in conclusion, Mr. Chairman, I urge support of the bill and again commend the gentleman from Arizona for managing it on the floor today, for his sponsorship, and his valuable leadership.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1½ minutes to the gentleman from Idaho, a member of the committee (Mr. SALI).

Mr. SALI. Mr. Chairman, those recreating in Idaho, whether residents or tourists, will likely head to lands encompassed by this bill. More than 2 million acres in Idaho alone will be affected, which will in turn affect many of the uses enjoyed in Idaho, four wheelers and off-highway motorbikes, hunting, boating, and shooting. All of that today is at risk because of the legislation before us.

But more than just recreation is threatened by the bill. Federally managed public lands, treasured by so many, are in jeopardy of being cut off except to those who have the health and the strength to hike or perhaps to mountain bike.

My 84-year-old mother can only walk with a walker but still enjoys the outdoors. Mr. Chairman, look at that smile. I think everyone wishes that their mother could have that kind of enjoyment. With activities including off-highway vehicle use threatened under this bill, my mother and others like her will have no meaningful way to enjoy these lands. The same is true of people with disabilities. Today we are telling those individuals that these 2 million acres in Idaho and 26 million acres across the West will not be accessible to them and will only be available to a small segment of our society with very narrow uses.

Public lands should be available for everyone, including the elderly and people with disabilities, not just a select few. We can and must do better.

Mr. GRIJALVA. Mr. Chairman, I would like to yield such time as she may consume to the gentlewoman from California (Mrs. CAPPS), an original cosponsor of H.R. 2016.

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the National Landscape Conservation System Act. This bill will help protect some of our Nation's most treasured landscapes. I want to commend my chairmen, both Mr. GRIJALVA, the subcommittee chairman from Arizona; and Mr. RAHALL, the full committee chairman, for bringing this important legislation to the floor today.

The NLCS was created administratively in 2000 to guide the management of the national monuments, wilderness areas, and other significant public lands under the Bureau of Land Management's authority. Many of these lands, like the Carrizo Plain National Monument and California Coastal Monument in my congressional district, are on par with our national parks in their beauty and value to the American people.

Unfortunately, the system has taken a back seat in our country's land conservation efforts. It's been short-changed in funding in the President's budget year after year. There are not enough resources or staff to properly manage these lands. And reports continue to surface that the natural, cultural, and archeological sites on NLCS lands are being overrun or destroyed.

Today we can take the first step in improving the stewardship of these lands by passing H.R. 2016. This is a straightforward bill. It simply writes the NLCS into law. I want to stress to my colleagues this bill does not change how any of the units in the system are presently managed. Grazing rights, water rights, and public access to the areas are unchanged. The bill does, however, recognize that these landscapes are of great significance to the American people and should be managed to protect their values. Over the coming decades, these lands will become more widely used, and we must be prepared to handle that increase.

Finally, we have other areas that should be part of NLCS, and I hope they are, places like the Piedras Blancas Light Station in any district. I hope this will special place as one example, a place on California's central coast, will be soon be added to the system through legislation I have already introduced.

Mr. Chairman, this bill is a logical and needed next step toward improving the management of the units that make up the NLCS. I urge my colleagues to vote "yes" on H.R. 2016.

Mr. BISHOP of Utah. Mr. Chairman, it is my pleasure to yield 1 minute to one of the sponsors of this bill, our good friend and colleague from California, where obviously at this par-

ticular time both physically and intellectually we are on different sides of the field on this particular issue, but I yield 1 minute to the gentlewoman from California (Mrs. BONO MACK).

Mrs. BONO MACK. I thank the ranking member for his generosity in yielding me this time.

I rise today as a co-Chair of the NLCS Caucus and supporter of H.R. 2016. This system, which is managed by the executive branch, deserves the oversight of Congress that comes with the passage of this legislation. One unit of the NLCS, the Santa Rosa and San Jacinto Mountains National Monument, is within my congressional District. This monument is instructive to today's debate. The unit was created by Congress in 2000 and was the direct result of the desire to have the public get involved in the creation of a large Federal land designation. The result is an impressive example of Federal lands that are to this day managed in their own unique manner. The intention of this bill is to continue the management and specific uses that are allowed on Federal lands across the country, the same approach taken at this monument ever since the creation of the NLCS in 2000.

With bipartisan backing and the endorsement of the administration, again, the endorsement of the administration, it is my hope that we can agree to move this bill forward.

Again, I thank my ranking member very much for his generosity and his time.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey, a sponsor of the legislation (Mr. HOLT).

Mr. HOLT. I thank the chairman of the subcommittee for this time.

Mr. Chairman, I rise in support of H.R. 2016, the National Landscape Conservation System Act.

Think about it. Ranging from the awe-inspiring volcanic landscape of the craters of the Moon National Monument in Idaho to the majestic White Mountain National Recreation Area in Alaska, the Bureau of Land Management's National Landscape Conservation System protects some of the most spectacular landscapes in America. Altogether it protects 26 million acres of America's diverse public lands from Alaskan tundra to red-rock wilderness, deep river canyons to ocean coasts, to American Indian cliff dwellings, and our Nation's oldest trails. These sites provide Americans with unique venues for recreation, for wildlife viewing, for exploring history, for scientific research, and for a wide range of traditional uses.

H.R. 2016 would ensure that all 800 sites that comprise the NLCS remain a cohesive and protected system for generations to come. Now, currently these are recognized only through BLM administrative regulations. There's no guarantee that these beautiful sites, that this system, will continue to exist even 5 years from now.

President Lyndon Johnson put it well. He said, "If future generations are to remember us more with gratitude than sorrow, we must achieve more than just the miracles of technology. We must leave them a glimpse of the world as it was created, not just as it looked when we got through with it." By making the NLCS Federal statute, we will ensure that future generations will enjoy these national treasures, and I urge my colleagues to support Mr. GRIJALVA's legislation.

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Chairman, it is vital that we work to protect grazing on public and private lands. In fact, communities throughout the United States depend on it.

Millions of acres of lands within the NLCS have grazing. The NLCS is a direct threat to grazing for these several reasons. This is not by accident. Advocates who testified in support of H.R. 2016 list grazing as a "threat" to NLCS lands.

This bill, in fact, directs the Secretary of Interior to manage NLCS lands similar to the National Park Service. This is a problem because there is no grazing on National Park Service lands. Outside groups will use this to drive off ranchers through lawsuits. This is harmful not only to ranchers themselves, a very difficult industry at this time, but to the communities in which they reside. It is also harmful ultimately to the American consumer.

I urge others to vote "no" on H.R. 2016 and encourage a balanced policy as a result.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Thank you very much, Chairman GRIJALVA and Chairman RAHALL, for your very hard work on bringing this bill to the House floor today.

Connecticut's Fifth District, which I have the honor to represent, is rich in the kind of landmarks and natural treasures that today's legislation would help to better manage. From the beautiful Farmington River, a Wild and Scenic River, to the Metacomet Monadnock Mattabesett Trail, soon to be a National Scenic Trail, my constituents are personally familiar with the kind of benefits and resources these designations can provide in encouraging community-driven conservation and land management.

As we continue to grow as a region and as a Nation, we need to be mindful of preserving that delicate balance with the natural world around us. My home State of Connecticut has the highest proportional rate of farm land development in the country, creating a quandary for communities who want to promote economic development but don't want to sacrifice the unique character of their towns and of their regions in the process.

□ 1345

This is the kind of bipartisan issue that brings many of us together. The designations that my district enjoys today come by virtue of the hard work of my predecessor, Congresswoman JOHNSON. This brings together hunting enthusiasts as much as it does environmental advocates, and they are all asking the question, how do we best leverage the resources of the Federal Government to partner with communities?

The Federal Government can and should be that type of partner in helping support the regional management of the outdoors. A better coordinated Federal effort, which this bill will bring, can empower communities and can empower individuals to have a larger, more constructive role in the sensible conservation of our land and of our resources.

Again, I thank the chairman for his work on this bill. And I urge my colleagues to support it this afternoon.

Mr. BISHOP of Utah. I am pleased to yield 4 minutes to a member of the committee, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I rise in opposition to H.R. 2016. One of the Resources Committee staffers was just pointing out that 6 years ago she paid \$1.10 for gasoline. Now we are seeing the price of gasoline at \$3.30 and increasing. Now what have we done to improve the lives of the middle-class citizens who are struggling to pay taxes and to pay the cost of fuel for their car, and then face the prospect of losing jobs? Well, in 1995, the Republican Congress passed the provision to drill in ANWR. President Clinton vetoed that. If that had been passed, today we would have 1.5 million barrels of oil in production coming daily from there to help stem the price of gasoline. We have limited the ability to drill in our outer continental shelf, even though China is drilling 47 miles off our coast. So again, we are allowing foreign countries to develop our resources, yet we are restricting ourselves.

This past December, this Congress, under the leadership of NANCY PELOSI, put 2 trillion barrels of shale oil off limits in Colorado saying, I guess, that we're going to go ahead and import, and we're going to face the higher price of gasoline. Now, if we think there is no connection between the price of gasoline and this bill, take a look at the Wilderness Society and their 18-page brochure which tells us that it is imperative that we do something with this bill, that we pass this bill. It lists as problems that this bill will correct, road building, energy exploration, mining, recreational use, offroad vehicle use, boundary adjustments. These are all the immediate threats that the Wilderness Society points out that the NLCS is going to stop.

So we find that even the supporters of the legislation realize it is going to affect energy development, and yet our friends on the other side of the aisle

say we are going to accept \$3 gasoline, we are going to import from Hugo Chavez, and we are going to continue to import from the Middle Eastern countries that despise us and work against us. And they say they, as a majority, are not going to do anything. And in fact, they are going to pass this bill, which makes it more difficult for us to produce energy off of Federal lands. It just does not make sense in these times when it is a struggle for middle-class taxpayers to pay the bills of the family, to feed the family and then get the kids to the soccer games, to the classrooms and back, and we are passing a bill that has significant effects on the western lands of this country.

In many of my counties, we have 10 percent private lands. In many of my counties, the back will be broken of all economic activity as we undergo this management change, this way we manage our lands. Our western lands are managed well. Maybe the Bureau of Reclamation and the Forest Service could do a better job. But they are doing a good job. Instead, we are going to say we are going to treat all of the western lands like parklands where we have no economic activity at all.

Mr. Chairman, this legislation is sadly misguided. And it is not without understanding. My office proposed an amendment for wind energy on these lands. And they rejected without debate the idea that we would not only want to have energy production, but also convert to renewables on public lands. They rejected that without debate, without discussion, because they know they do not want the footprint of any entity, not even oil and gas or renewable energy.

Mr. Chairman, I would recommend that we turn this bill down flat because it is going to affect the future of all of our hardworking citizens. Just last year, Dow Chemical announced a \$22 billion facility is going to Saudi Arabia. It is going because the price of natural gas is so high here. It took over 10,000 jobs with it when it went. We are seeing our jobs leave because of the policies that are being put in place by this majority. And this bill is just one more addition to those bad pieces of legislation of bad policy that is restricting oil and gas and restricting renewable development on the lands.

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

Mr. BISHOP of Utah. If the gentleman from Arizona would like to reclaim his time, I realize he has just had one of his speakers come in here, and we can keep the order going, which would be fine with me.

Mr. GRIJALVA. Thank you. Mr. Chairman, let me recognize Congressman INSLEE, a member of the Resources Committee, a sponsor of the legislation, for as much time as he may consume.

Mr. INSLEE. I rise in support of Mr. GRIJALVA's bill. I really applaud his leadership on this. It is long overdue.

This bill really takes care of the landscape conservation treasures that

we have come to enjoy. It protects 26 million acres of BLM's most exceptional landscapes. And to put it in perspective, that is a lot of territory, but it is only 10 percent of the BLM-managed areas. It is a very reasonable thing for us to do. And the reason is that it protects the heritage, the ancient Native American sites, pioneer ranches and pioneer homesteads. I am a fellow of the West. I enjoy looking at them. It preserves historic trails, rugged and remote mountains, deserts, prairies and rivers. These are the jewels in the crown of the BLM-managed property, and all Americans have a stake in them.

When you think about how expansive this is, there is something for everybody in America in this bill, those who like to raft, to hunt, to sightsee, to fish, to hike, to study, to bird-watch or to just hang around with their kids. This is an all-purpose bill. And it is a lot of places: Colorado's Canyons of the Ancients National Monument, the Lewis and Clark National Historic Trail, Idaho's Craters of the Moon National Monument, California's Headwaters Forest Preserve, Nevada's Red Rock Canyon National Conservation Area, Montana's Upper Missouri River Breaks National Monument, Utah's Beaver Dam Mountain Wilderness Area, Oregon's Lower Deschutes Wild and Scenic River, and my kind of favorite, the Pacific Crest and Continental Divide National Trail System, a trail system that is in trouble and this bill can help preserve.

So this really is a universal bill. And I want to point out something that is kind of uniquely American. These systems really rely on volunteers to keep them healthy. And I want to commend the thousands of volunteers who spend their weekends working on these trails providing interpretive services. Thank you to all of you who are doing this. This bill will help them to have a more organized system, and I think it is a real economically sound thing to do.

The Bush administration has indicated its support for this bill. It's straightforward codifying legislation. As a member of the Resources Committee, I want to applaud Mr. GRIJALVA and all of those Americans who are going to take their kids out to these places and have a grand time. Congratulations on passing this bill.

Mr. BISHOP of Utah. At this time, I am happy to yield 4 minutes to the gentleman from Texas (Mr. POE).

Mr. POE. I want to thank the gentleman for yielding time.

This legislation will turn 26 million acres of land, the same size of all of New England, or 16 States, that are now in the Western part of the United States into vast tracks that will be walled off from almost all human use to the United States except illegals. And here is the reason I say that.

This bill is nothing more than another land grab by the Federal Government to restrict land use in America. Under current law, the Border Patrol is

prohibited from patrolling these areas in the West and the Southwest. Remember, we are talking about the size of New England. And they are prohibited from doing so because of current law. And this measure will make it actually worse. All in the name of protecting the environment, we are going to restrict land use by our Border Patrol and American citizens.

Here is part of the problem that is already occurring on current land that we are trying to protect the environment from. This is a place called "Amnesty Highway" in Arizona where illegals come through the United States in an area where the Border Patrol cannot patrol with their vehicles. They are dumping all kinds of garbage and then moving into the vastness of the United States. This bill should be called the "Illegal Immigrants Paradise Land Act" because the area in question under this act will be a safe haven for illegal immigrants. In fact, just 2 months ago in the Tucson Weekly, it reported rampant illegal immigrant activity in Arizona's Ironwood Forest National Monument, that is this area right here, an estimated 180,000-acre preserve managed already by the Federal Government. People in Arizona call this the "Amnesty Trail," the "Amnesty Highway." The article reports that probably hundreds of illegals a week make it into the Ironwood area because of the "Amnesty Trail." Areas that were once pristine wilderness now resemble dump yards because of the illegals already coming into this area. This bill will make this problem worse. In Arizona's Ironwood National Monument, 2 tons of trash left by illegal immigrants is removed every week. Trash like this that we see.

Federal land management officials can't even do their job now, and they want to restrict use of this land to Americans. In fact, for several weeks last year, Land Management officials did not even enter this area because three people were found executed. Supposedly they were illegals coming into the United States, maybe drug dealers.

So why doesn't the government do something about this problem and resolve this problem before we restrict the use of land in America to Americans? Almost all the lands included under current law have prohibitions against Border Patrol and law enforcement officials performing regular patrols by vehicles. And as I said, this bill will make the problem worse.

This other photograph is on the same trail, the "Amnesty Trail." It is not a very good photograph, but it is taken with a telephoto lens. It shows a vehicle bringing in approximately 40 to 50 people in a pickup truck coming from south of the border into the United States, presumably illegals, traveling the highway that the Border Patrol is not even allowed to travel with their vehicles.

So it is important that we, for several reasons, don't pass this legisla-

tion. You know, the Border Patrol cannot protect the land, so the smugglers and the illegals have a sanctuary area in our national landscape. So much for protecting the environment. What we don't hear is that the Ironwood National Forest Monument is part of the largest human trafficking corridor in the world. Even government officials now acknowledge that there is a human trafficking problem in this area. They admit that smugglers are bringing people further north every year, giving them drugs and then abandoning them on this monument land where many of them die of starvation. So naturally, this is where all the drug runners and human traffickers go into the Arizona area.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BISHOP of Utah. Mr. Chairman, I offer the Member 1 more minute.

Mr. POE. What our government ought to be doing is opening up these lands to our law enforcement, so they can protect our Nation rather than putting another layer of Federal bureaucracy on these lands, which is what this legislation does. This bill does nothing to protect our lands, but makes our lands more susceptible to the land invasion by coyotes and drug smugglers.

There is a border crisis occurring on Federal land, and this bill ought to address that issue instead of making this bad situation worse.

And that's just the way it is.

Mr. GRIJALVA. May I inquire as to how much time remains.

The CHAIRMAN. The gentleman from Arizona has 13 minutes remaining. And the gentleman from Utah has 12 minutes remaining.

□ 1400

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

I think in the course of the debate on H.R. 2016 we are going to hear a lot of claims, a lot of allegations, of how H.R. 2016 will change the management of these public lands, how H.R. 2016 will restrict uses in the future for these public lands. I want to remind Members of section 4, Statutory Construction, the savings clause, which in fact codifies the existing management and codifies the existing uses. But we are going to continue to hear that, the generalizations. And with those generalizations come half-truths and untruths as to what this bill does and does not do.

What this bill does not do, it does not encroach on private property rights. What this bill does not do, it does not change grazing and oil and gas development on these lands. It does not threaten recreational and traditional uses of the land, including hunting, rock climbing, hiking, camping, rafting and motorized use. It does not make the conservation system park-like or eventually managed by the national parks. It does not provide additional protections for Wilderness Study

Areas in the conservation system, and will not designate new wilderness. It does not create a new level of bureaucracy. It does not take money away from national parks. It does not increase spending on government land acquisitions. And it does not impede border security.

I find it ironic that the now-minority, having been the majority for the past 7 years, has not been able to change some of the land designations that they are so upset about today. This vehicle, H.R. 2016, should not be the vehicle for them to vent their frustration. H.R. 2016 has gone through a rigorous process and has bipartisan support.

With regard to border security, the failure of this Congress to comprehensively grapple with the security issues, the border issues and the immigration issues that are facing this country, a broken immigration system that all of us can agree to, that failure to enact those should not be now made the responsibility of H.R. 2016, for the crisis that has been created by the inaction and the fearful reaction of many Members of Congress to try to deal with border issues and border security.

H.R. 2016 is a good piece of legislation. Specifically, the savings clause protects the intention of those lands, the management of those lands and the uses of those lands.

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

Mr. BISHOP of Utah. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, we have heard several things about this particular piece of legislation. This new entity, the National Land Conservation System, not to be confused with the National League Championship Series, which is a much better concept, this entity was not created by congressional action. It was created as the dream child of a former Secretary of Interior less than 10 years ago.

When asked in a hearing of the Bureau of Land Management if they were incompetent to manage these lands before this new entity was established, the simple answer was no. One would then ask the question, why was there a need 10 years ago for this new entity, because this new entity still does not administer anything, they don't manage anything, they don't regulate anything, nor will they, as has been carefully delineated by the sponsor of this legislation.

The first question still should be asked, what do they really do, other than to provide some vague philosophy of recognition and enhancement and anything else? If we really simply wanted to just create this system statutorily, a one-sentence piece of legislation would do: "There is established a National Land Conservation System."

Is there a threat to any lands that are currently under the auspices of the Bureau of Land Management, as has been indicated by certain speakers?

The answer is no. The sponsor just admitted there is no threat to that. All we are talking about is some vague new entity, and the issue of concern with this vague new entity is the language now says this new entity has certain values that it is supposed to uphold. These values are vague. Nowhere does it specifically say what these values are.

Is this a threat to private property? No more than the present system. But that is where the issue comes in. We already have threats to the private property within this system, and this piece of legislation, rather than solving that issue, exacerbates that issue altogether.

Is there a border security issue? Yes, presently, and this piece of legislation does not help that issue. It exacerbates the issue, if anything else.

It is the vagueness of the language in this bill that puts into statutory language an entity that really doesn't do anything right now. That is a problem for the future, if at some stage or some point in time Congress wants or even the entity itself wants to make it do something proactively.

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

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Mr. Chairman, I want to thank Chairman RAHALL and Chairman GRIJALVA for their continued commitment to America's natural and historic treasures.

Our national parks, forests and public lands are among our Nation's most valuable resources. In fact, one of our country's most unique national parks, the Everglades National Park, is located near my district. It is important that we continue to protect these environmentally sensitive and historically significant areas for future generations to enjoy. I believe that the bill before us today, H.R. 2016, the National Landscape Conservation System Act, does just that.

The National Landscape Conservation System, and, more specifically, the Outstanding Natural Area designation which is part of that system, was created in 2000 by the Department of Interior in an effort to better meet the management needs of our Nation's public lands and historic treasures. In addition to the better management practices, the system promotes the designation of areas under the system to help spur tourism and expand educational opportunities in surrounding communities.

Mr. Chairman, just a few short weeks ago the House passed H.R. 1922, the Jupiter Inlet Lighthouse Outstanding Natural Areas Act. This bill, which I sponsored, would designate this historic lighthouse as an Outstanding Natural Area. It is important to note that the lighthouse is much more than a historical marker. It has become a symbol of our community, woven into the fabric of our culture, even appear-

ing on the Town of Jupiter seal. With the passage of this legislation today, we have the ability to permanently protect our historic and natural treasures, such as the Jupiter Inlet Lighthouse, for future generations.

Again, I applaud Chairman GRIJALVA for his efforts.

Mr. BISHOP of Utah. Mr. Chairman, in closing, the gentleman from Florida just gave a wonderful speech, and I think he illustrated some of the problems with this particular bill. The territory to which he was speaking is National Park Service land, not BLM land. This bill only deals with BLM land, and that is precisely the problem that we have with this particular bill.

It is very simple one. We have parks and national monuments, some administered by the Bureau of Land Management, some administered by the National Park Service. They are different. Each one of them has a different value.

In the Park Service, the organic act that created it said what the values for this land would be. It is established in statute and in regulation. The Bureau of Land Management does not have that same value system, because they are different lands for a different purpose, which is why the language in this bill is so troubling, because it is simply a vague statement that simply says they will have values, and it has never, never been defined.

When the Department of Interior told me personally that they were in favor of this, it was because they could maintain the Bureau of Land Management parks and monuments with multiple use as the significant value. It would be protected, they said. Which is why I am so chagrined, that when we attempted to clarify in this legislation by amendment in the committee and once again before the Rules Committee that that is specifically the difference between the Park park and the BLM park, it was rejected.

Now, multiple use is the difference between national parks in the Park Service system and national parks in the BLM system, and that language, that language has to be maintained, because that is indeed the only value that makes a difference.

These lands are not threatened if the BLM has them. They are not threatened if we don't make this system, which is redundant at best and expensive at best, codified. But we do do something dangerous if we pass this legislation and now give a vague term of values on to a system that is defined nowhere. It opens us up to litigation problems, it causes problems in administration, and it does change the system. That is why there is so much danger, unless you are willing to do what our side has been saying all along, which is define what those vague terms actually mean.

That, Mr. Chairman, is why we oppose this piece of legislation. It opens up a door that has no definition as to what room we actually enter, and that is wrong. It is simply wrong.



The problem with that is it is going to hurt people, people who use this BLM land now to recreate, people who use it to graze, people who use it for their economy, people who have private property in-holdings in this area. They are put at risk because our language is simply too vague to allow them to understand what our intent is. That is why this bill has to be defeated.

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

Mr. GRIJALVA. Mr. Chairman, I mentioned earlier the discussion of what H.R. 2016 does not do. I think it is worth mentioning what it does do. It is very important. And I am only going to concentrate on one point. I think we will deal with the values issue in the amendment process.

H.R. 2016 unifies separate units into a coherent system. It ensures permanency, and I think that is the most important point. It will permanently establish perhaps a last great American conservation system in statute, and those lands will continue to be managed by the Bureau of Land Management and prevent any future attempts to get rid of the system. It enhances the statute of this system, and it deserves to be enhanced.

It is a good piece of legislation. It has good support from Members of Congress and from interest groups who care about the conservation issues that we face in this Congress.

Mr. BROWN of Georgia, Mr. Chairman, seizing land infringes on the most fundamental of Constitutional rights and endangers property owners across our great Nation. NLCS will eternally lock land into Government control and prevent Americans from their right to property ownership.

Our Federal Government already owns 653,229,090 acres of land. Does it really need to control any more? NLCS would take control of 26 million acres of land—13 percent of the nation's surface. This land will be forever taken and the right to own land denied. There is no justification to consume more land.

Second Amendment Rights are also under assault in this legislation. Nothing in this legislation protects hunting, fishing, or gun rights on NLCS land—even though they have traditionally been allowed.

The Constitutional right to own property should always be protected. Citizens should be allowed to utilize and prosper from the land. As chairman of the Property Rights Action Caucus, I believe that no legislation should ever infringe on property rights or attack the Second Amendment. Protect these fundamental Constitutional rights of land and gun use by voting "no" on H.R. 2016.

Mr. SHAYS. Mr. Chairman, I rise in support of H.R. 2016, the National Landscape Conservation System, NLCS, Act. This bill would codify the NLCS's management of 26 million acres of land presently under the direction of the Bureau of Land Management, BLM, affording the system the recognition, management, and unification of a national system.

The lands in question have been designated National Monuments, National Conservation Areas, Wilderness, Wild and Scenic Rivers, and National Scenic and Historic Trails by Congress and by Presidential Proclamation.

Eight years ago, the Secretary of the Interior established the NLCS to manage these areas. Congressional recognition of NLCS's management of these treasured places only seeks to codify what the BLM currently administers.

H.R. 2016 does not change the BLM's multiple-use mandate. Rather, it celebrates the BLM's ability to manage its special lands for multiple uses, including conservation, for the benefit of the American people. By writing the NLCS into law, this legislation prevents any rescission that might put this new conservation system at risk. It is important that the BLM continue to manage and protect these lands and waterways enjoyed by millions of Americans each year.

I am grateful for the steps the BLM has taken in protecting this system of Federal lands and urge support of final passage of H.R. 2016.

Mr. HALL of New York. Mr. Chairman, I am a strong supporter of the rights of landowners. H.R. 2016, the National Landscape Conservation System Act, would not affect any private property. The bill deals only with land that is already owned by the Federal Government. No new lands are taken away from any person or added to Federal lands and there is no impact on how landowners can use their property.

Under the guise of protecting landowners, the minority attempted to use the vote on ordering the previous question, roll call number 164, to kill a good, bipartisan bill. I voted to order the previous question because I believe that the House of Representatives should consider and approve H.R. 2016.

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

The Acting CHAIRMAN (Mr. SERRANO). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 2016

*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 "National Landscape Conservation System Act".*

#### SEC. 2. DEFINITIONS.

*In this Act:*

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) SYSTEM.—The term "system" means the National Landscape Conservation System established by section 3(a).

#### SEC. 3. ESTABLISHMENT OF THE NATIONAL LANDSCAPE CONSERVATION SYSTEM.

(a) ESTABLISHMENT.—In order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations, there is established in the Bureau of Land Management the National Landscape Conservation System.

(b) COMPONENTS.—The system shall include each of the following areas administered by the Bureau of Land Management:

- (1) Each area that is designated as—
  - (A) a national monument;
  - (B) a national conservation area;

(C) a wilderness study area;

(D) a National Scenic Trail or National Historic Trail designated as a component of the National Trails System;

(E) a component of the National Wild and Scenic Rivers System; or

(F) a component of the National Wilderness Preservation System.

(2) Any area designated by Congress to be administered for conservation purposes, including—

(A) the Steens Mountain Cooperative Management and Protection Area, as designated under section 101(a) of the Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nn–11(a));

(B) the Headwaters Forest Reserve;

(C) the Yaquina Head Outstanding Natural Area; and

(D) any additional area designated by Congress for inclusion in the system.

(c) MANAGEMENT.—The Secretary shall manage the system—

(1) in accordance with each applicable law (including regulations) relating to each component of the system included under subsection (b); and

(2) in a manner that protects the values for which the components of the system were designated.

#### SEC. 4. STATUTORY CONSTRUCTION.

Nothing in this Act shall be construed to enhance, diminish, or modify any law or proclamation (or regulations related to such law or proclamation) under which the components of the system identified in section 3(b) were established, or are managed, including, but not limited to, the Alaska National Interest Land Conservation Act (43 U.S.C. 1601 et seq.), the Wilderness Act (16 U.S.C. 1131 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the National Trails System Act (16 U.S.C. 1241 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–573. Each 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 of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–573.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. GRIJALVA: At the end of the bill, add the following:

#### SEC. 5. BORDER SECURITY.

Nothing in this Act shall impede any efforts by the Department of Homeland Security to secure the borders of the United States.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1415

Mr. GRIJALVA. Mr. Chairman, this amendment states in its entirety that nothing in this act shall impede any effort by the Department of Homeland Security to secure the borders and enforce the immigration laws of the United States.

Let me be clear, the recent decision by DHS Secretary Chertoff to waive more than 30 bedrock environmental laws, including the Safe Drinking Water Act and the National Park Service Organic Act, in order to build a wall along our southern border was, in my opinion, an abuse of discretion granted to him by the previous Congress.

I have introduced separate standalone legislation, H.R. 2593, the Borderlands Conservation and Security Act to, among other things, repeal this waiver authority because, in my view, there are better ways to secure our borders than requiring them to waive laws which protect the water we drink and the air we breathe.

I have also joined with Members of Congress in filing a notice of our intent to file briefs before the United States Supreme Court because I believe the waiver provisions violate our Constitution.

However, the bill currently before the House, H.R. 2016, is not an appropriate vehicle for addressing these concerns. This is simply an authorization bill for a conservation system. It is not intended to impact the management on any of these units, including management decisions regarding border security.

The amendment I am offering here simply makes this as clear as possible. I oppose the law, and I am using every opportunity to make that opposition plain, but this is not the bill for those opportunities.

I urge my colleagues to support my amendment, make sure the debate on border security takes place in the appropriate time in an appropriate manner under the appropriate legislation, and then we can move forward on this straightforward conservation bill.

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

Mr. BISHOP of Utah. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. I first ask unanimous consent to include an article from the Tucson Weekly that deals with the areas of this issue.

The Acting CHAIRMAN. The gentleman's request will be covered by General Leave.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate Mr. GRIJALVA actually taking the lead on this issue.

In fact, Republicans had two amendments that were introduced to the Rules Committee that dealt with this same specific issue. Again, in a spirit of bipartisanship, the two Republican ones were not put in place but the Democrat one was, and at least we are addressing this particular issue.

I do happen to have some objection to this one, because to me, what this amendment does, is put into statute or to put into language the status quo. Nothing in this act shall impede what we are already doing. I think this issue should be more forward thinking. We need to change what is happening in the status quo in this area that is simply now known as the trail of amnesty, where so much illegal narcotics work, illegal human trafficking and illegal gang activity has taken place. The article to which I referred actually specifies what that is there.

That is why the amendments that were not made in order were superior to the one that is made in order here, and it should be recognized.

Mr. Chairman, at this time I would like to yield to the gentleman from New Mexico 2 minutes of my time for discussion of this amendment.

Mr. PEARCE. I thank the gentleman for yielding time.

Mr. Chairman, again, I would point out that in committee we heard these same comments that we are talking in generalizations, half-truths, complete untruths. We were told then that the border is completely secured in the current legislation, and now we find that maybe there is a reason to kind of adapt the wording.

We also were told that there is nothing that would limit any sports, no hunting, shooting sports, that those assertions on the part of the minority were simply generalizations, half-truths and untruths.

So it's really amazing to me that those half-truths now are being incorporated into the bill by first the bill sponsor and then by another one of the majority Members.

The complete idea and argument that all of our discussions have been generalizations, half-truths and untruths, simply now rises to a level which we have to ask ourselves on which side do the generalizations lie, on which side do the untruths lie and on which side do the half truths lie, because we are finding the majority that is adopting and adapting the bill now in order to make it more secure if they did not blink, if they had not believed the arguments in committee, they would not be making these changes today, they would not be trying to work out deals behind the scenes to make this a little bit more, maybe, less risky.

I think if we all see what's going on, I think if we see the majority blinking in a big way here on the floor, it just tells us we should turn down the underlying language and turn down this offensive impact on our public land management.

I thank the gentleman from Utah for yielding.

Mr. BISHOP of Utah. Do I have remaining time still, Mr. Chairman?

The Acting CHAIRMAN. The gentleman has 2 minutes left.

Mr. BISHOP of Utah. Mr. Chairman, let me make this clear. I have no intention of opposing or voting against the

language from the gentleman from Arizona.

I am appreciative that the gentleman from Arizona and the majority party has finally taken the initiative of bringing issues up here.

My objection is that the language that was proposed to the Rules Committee in other amendments dealing with this issue was far broader and would have been better in the future. When we talk about language right now that nothing of us actually impede, we were talking in other pieces of legislation about not hindering border security, not hindering illegal immigration for Homeland Security or other law enforcement agencies.

The amendments we tried to propose would have been far broader, far more inclusive and would have dealt with issues into future as opposed to this.

But having said that, this is at least a good step in the right direction.

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

Mr. GRIJALVA. Mr. Chairman, the amendment is straightforward, the amendment restates the obvious, and the question about taking initiative is an appropriate question. The initiative should be taken with a committee that has been formed to deal with the issues that are of great concern to some of my colleagues that have spoken.

That committee is the Homeland Security Committee, to take legislation there that would deal with the issues they were concerned about. This is not the vehicle for that legislation.

My amendment states the obvious, reiterates the obvious.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. CANNON

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-573.

Mr. CANNON. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CANNON:

Page 4, at the end of line 23, insert the following: "In addition, nothing in this Act creates a Federal cause of action based on inclusion within the National Landscape Conservation System."

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Utah (Mr. CANNON) and a Member opposed each will control 5 minutes.



The Chair recognizes the gentleman from Utah.

Mr. CANNON. Mr. Chairman, I rise today to offer an amendment that is necessary to refine the vague language contained within this bill.

The legislation requires the lands included in the National Landscape Conservation System be managed for values, without ever defining what the term values means.

As we all know, values have different meaning to different people. In the case of land management agencies, values can range from cultural and historic resources to things as nebulous as "smell-scapes."

The loose definition of the underlying bill leaves the Federal Government open to litigation based on what someone may or may not determine to be consistent with what they believe are the values of lands included within the National Landscape Conservation System.

Our Federal land management agencies are currently overwhelmed with litigation which distracts from their primary mission of land management.

This amendment will prevent unnecessary and onerous litigation.

While the underlying legislation has a savings clause, it does not prevent the bringing of a lawsuit. We have been assured time and again that activities on these lands currently allowed will continue without a problem. However, the language does not include important and defined terms such as multiple use.

To illustrate the problem, in the event that multiple use activities such as grazing are currently accruing on lands within the NLCS system and an individual or group decides that grazing activities are not consistent with the values of NLCS lands, they can sue to stop the grazing activities. Consequently, a permitted activity is left open under this new regime to lawsuits based on the loose definition of values.

Most of the parameters by which management is to occur are clearly defined. Passage of the underlying bill would create standards which are not practical to administer. This will allow external groups of all kinds to challenge the BLM's management of NLCS lands based upon what the perceived values of these lands are.

My amendment merely will prohibit lawsuits against the Bureau of Land Management based on how they manage the lands under the NLCS system.

Given the huge cost that we are now suffering with litigation, preventing unnecessary litigation should be a goal of this body.

I urge all of my colleagues to support getting dollars to the ground for management, rather than tying them up in legal proceedings.

I urge support for this amendment and reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise to claim time in opposition.

The Acting CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. GRIJALVA. Not necessarily.

The Acting CHAIRMAN. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. Mr. Chairman, as with most of these amendments, the Cannon amendment is clearly unnecessary. Once again, we have, in this bill, an ironclad savings clause which I demonstrated earlier. That would be, after the enactment of H.R. 2016. Nothing in this act would diminish or enhance that.

The ability to sue plaintiffs that they have under current law, that would not be changed by H.R. 2016, and nothing in this act would change that. Nothing we do here creates a Federal cause of action. Since the creation of the system in 2000, nothing ever has. The proponents of this amendment are looking for a problem where a problem doesn't exist.

However, if the proponents of this amendment will feel more comfortable that we include language that simply states the obvious, then we will not oppose the amendment.

I reserve the balance of my time.

Mr. CANNON. I appreciate the gentleman accepting this amendment.

Mr. Chairman, without further ado, I yield back.

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-573.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BISHOP of Utah:

Page 2, strike line 15 and all that follows through page 3, line 2, and insert the following:

(a) ESTABLISHMENT.—There is established in the Bureau of Land Management the National Landscape Conservation System.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, 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, again, as I was speaking earlier about the bill, one of the problems is simply the concept of some vague elements of what "values" may or may not be, especially as it applies to Park Service and Bureau of Land Management lands.

The language in question that I ask to be removed from this bill is language that comes specifically from the Organic Act that created the National

Park System as well as the Redwood amendments. Those two concepts caused the National Park Service to administer park lands to the same standard.

In the absence of any other definition of what Bureau of Land Management land should be in this system, it is essential that we not have to revert back to what the National Park Service uses as its values standard, and that's the fear that comes in here.

Indeed, in the BLM land that has been put into this system, you have a multitude of different land, from Bureau of Land Management monuments to Bureau of Land Management parks, to wilderness areas, to wilderness study areas. If, indeed, the same language that has forced the Park Service to manage in the same administrative pattern is now imposed on the Bureau of Land Management, it would do irreparable harm to different lands that are specifically there so that they can use multiple use.

Once again, we come back to that issue. BLM lands are supposed to be administered differently. That's why it's BLM lands in the first place. This language opens up the possibility of using the same kind of litigation techniques that force the Park Service to use all of their lands in the exact same manner onto the National Park Service.

If you change it to simply do what we said earlier, establish a National Landscape Conservation System, without the other verbiage, you eliminate that potential problem.

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

□ 1430

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the gentleman from Utah's amendment because it would undermine not only this legislation, but the mission and the mandate of the Bureau of Land Management.

The language this amendment would strike reads as follows: "In order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations."

These words are not new, nor are they undefined. The NLCS already exists and has existed for nearly a decade and the Bush administration supports these words as a summary of the management goals already in place for these lands under existing law.

Versions of this language are found in the Federal Land Policy and Management Act, in the Wilderness Act, in the Wild and Scenic Rivers Act, in Presidential proclamations and specific statutes creating these conservation units.

Restating these goals in this authorizing legislation is an appropriate mission statement and preserves the status quo. In contrast, striking them

would send a terrible message. Cutting these words out of the bill implies that these are not worthy management goals.

In effect, this amendment suggests that the BLM should no longer “conserve, protect or restore” places like the Canyons of the Ancients or the Vermillion Cliffs.

Cutting these words out of the bill suggests that the Grand Canyon Parashant and the Sonoran Desert are no longer “nationally significant” and no longer include “outstanding values.”

Cutting these words out of the bill suggests that “providing benefits for future generations” is no longer a worthy goal of the BLM to pursue at Colorado Canyons or Santa Rosa and San Jacinto.

The language this amendment would strike is not a secret attempt to create a new management standard. Rather, it is simply a restatement of the way these lands are already being managed according to mandates already approved by Congress.

The gentleman may not like it. He may even be surprised to learn it, but these words are accurate reinstatements of BLM’s existing conservation mandate. Striking them is an attempt to strike at the heart of that mandate, and it must be defeated.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, the language that is put in here is part of the BLM mandate. They are to conserve, protect, restore cultural, ecological and scientific values for the benefit of current and future generations.

The issue at hand, though, is that this is not the only part of the BLM’s management authority and management purpose. By refusing to expand this to the other areas to which BLM is supposed to do, the work they are supposed to do on this land, we are in danger of actually going the other way and trying to impose that this is the only way, especially when this language has been used in the Park Service to mandate specific management practices and hurt that process.

If you go on with this particular section, when you go to (b), it lists the kind of areas designated in this new land system. Each one was established with a certain land management plan. They are there. But the fact that we don’t put them in here opens up the possibility of litigation to problems that are there.

It is important so we know that the Department of the Interior said they don’t mind creating this system by statute, but they were opposed to this language. They said this language is harmful to their mission statement.

I wish to actually try and convince every Member on the floor, all three of us here, that this is indeed not what the department needs. It is not what the bureau needs. It is not the kind of language that you want to put in statute if you want to make sure what we

are doing is specifically defined. This opens up more problems than we would otherwise have.

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

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

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

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

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

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

#### AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-573.

Mr. BISHOP of Utah. Mr. Chairman, I have another amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BISHOP of Utah:

Page 4, strike lines 5 through 11, and insert the following:

(c) MANAGEMENT.—The Secretary shall manage the system in accordance with each applicable law (including regulations) relating to each component of the system included under subsection (b).

The Acting CHAIRMAN. Pursuant to House Resolution 1084, 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, I can be painfully brief on this amendment.

In two places in this bill you have the same problem we have been talking over and over about, about the vague notion of simply “values.”

The last amendment took the very superfluous language in the preamble, which has the potential of creating problems, as it has in other sections. But also in section 3(c)(2), we once again find this vague, nefarious language.

It says that the Secretary shall manage the system in a manner that protects the values for which the components of this system were designated.

Once again, by simply saying “values” without any kind of definition, nor is there any regulatory definition, you have simply opened this up to a vague, contentious opportunity. If you are going to establish this system and give them something to do, for heaven’s sake, tell them what they are going to do and make it simple and make it succinct.

That is why this section should be eliminated. Until we are ready to define these values, you don’t put this in statute.

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

Mr. GRIJALVA. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I oppose this amendment for the same reasons I opposed the previous amendment offered by the gentleman from Utah.

Like the previous attempt to strike the purposes of this bill, this amendment would strike language instructing the BLM to continue managing these BLM conservation units in a “manner that protects the values for which the components of the system were designated.”

Mr. BISHOP argues he simply does not understand what this term means, and he worries that the BLM doesn’t know what it means either. Let me assure Members that this is not a new standard and that the BLM clearly understands what it means to manage land and to protect its values. In fact, they have been doing so for years.

I have here at least 10 instances in the Federal Land Policy and Management Act of 1976 in which the term “values” is used. Not only does it appear in the declaration of policy section of that law, it actually appears in the definition of the term “multiple use.”

If that is not clear enough, most, if not all, of the laws or proclamations creating the individual units of the NLCS refer to the “values” to be protected.

I have three examples. There are many more, but we have selected three because they were approved by majority-Republican Congresses. The Black Canyon of Gunnison and Santa Rosa National Monuments and the Las Cienegas National Conservation Area, all units of the NLCS, all mention “values” in their enabling legislation.

The section this amendment would strike is an accurate reflection of the current management standards applied to these lands. To strike it would be to downgrade these conservation areas.

For a better understanding of what this standard means, I would encourage all of my colleagues to read the law, rather than simply trying to disregard language with which they are not familiar. The amendment needs to be defeated.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the gentleman from Arizona’s comments. His initial sentence was that I am attempting to strike the very purpose of this act. I don’t really think that is accurate because there is no purpose. If there was a purpose, it would have been written down as to what the purpose is. This simply says there will be values; and there is no definition of what those values are.

I would remind all of my colleagues in this room, this is the language that the department said they do not want.

This is the language BLM says does harm to them. This is the language they said was too vague and should be fixed, and it has not been fixed. That is why it should be eliminated.

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

Mr. GRIJALVA. Mr. Chairman, let me read from the Federal Land Policy and Management Act of 1976: "the public lands to be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values." I repeat, this is not new language. This is language which has been part of the management of these units from its inception.

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

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

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

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

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

#### AMENDMENT NO. 5 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-573.

Mr. BISHOP of Utah. Mr. Chairman, I have another amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BISHOP of Utah:

Page 4, at the end of line 23, insert the following: "Moreover, nothing in this Act is intended to additionally restrict or hinder energy development within the system."

The Acting CHAIRMAN. Pursuant to House Resolution 1084, 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, this amendment deals with one of the other issues that we are talking about as far as potential development of energy on these lands that are currently under the control of the Bureau of Land Management and may or may not actually change with the formalizing of this new entity.

With skyrocketing energy prices, the last thing that Congress should do is lock up more lands that could provide a solution.

The NLCS lands include potentially billions of barrels of oil, vast quantities of natural gas and coal, and unlimited potential for renewable energy sources such as wind and solar.

The energy development on NLCS lands is vital to the economies of west-

ern States, and to the Nation. We should be looking at ways to keep the \$400 billion that we spend to buy energy overseas here at home. We are only just beginning to understand what potential there is on NLCS lands for renewable energy sources. This amendment would ensure that those options remain open.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. GRIJALVA. At this point, not necessarily.

The Acting CHAIRMAN. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. As we have mentioned, H.R. 2016 already contains an extensive savings clause which makes absolutely clear that the simple act of writing the NLCS into statute will not change the way individual units are managed.

The inclusion of this savings clause should relieve Members of the need to come to the floor today and further amend the bill to enumerate each and every possible use of public lands for specific mention in the legislation.

The underlying bill already makes plain the fact that energy development, along with other authorized uses of these lands, will continue in those areas where they are currently allowed, even after H.R. 2016 is enacted.

Apparently, this broad savings clause is not plain enough. This amendment would single out energy production for special mention as one of those uses not impacted by the bill.

From the standpoint of writing clean, clear legislation that avoids redundancy and needless repetition, I oppose the amendment.

However, if this language provides an extra level of assurance and comfort for some Members, this amendment does not really change the bill, and I am prepared to accept it.

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

Mr. BISHOP of Utah. Mr. Chairman, I am assured and comforted.

I yield back the balance of my time.

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

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

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

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

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

#### AMENDMENT NO. 6 OFFERED BY MR. ALTMIRE

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110-573.

Mr. ALTMIRE. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ALTMIRE:

At the end of the bill, add the following:

Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting on public land managed by the Bureau of Land Management. Nothing in this Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Pennsylvania (Mr. ALTMIRE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

I rise today to offer an amendment to the National Landscape Conservation System Act. Created in 2000, this act provides protective and restorative services to nearly 27 million acres of public lands, including a number of our Nation's most spectacular wilderness and scenic rivers.

□ 1445

The legislation before us today would codify this existing land preservation system, thus ensuring its existence for generations to come. However, as written, this bill does not protect the rights of our Nation's sportsmen, specifically, their continued right to hunt and fish on these lands.

Because I strongly support this right and want to make it absolutely clear that it is never infringed upon, my amendments states that enactment of this legislation will not, in any way, limit access for hunting, fishing, trapping or recreational shooting on the National Landscape Conservation System.

Furthermore, my amendment confirms that the right to manage, control and regulate hunting, fishing and trapping on these lands rests with the States, not with the Federal Government.

My amendment has garnered the enthusiastic support of a number of sportsmen's groups, including the National Rifle Association and Trout Unlimited. It is critically important that we ensure hunting and fishing activities remain a part of our Nation's heritage, so I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. BISHOP of Utah. I wish to claim the time in opposition although, as some others have said here, I may not necessarily be in opposition to this amendment.

The Acting CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. Mr. Chairman, to be honest, I will be voting in favor of

this particular amendment. I think this is actually a very good amendment. This is the issue we presented in committee that was rejected in committee. I am glad that someone somewhere, between the path of this bill from committee to here on the floor, found religion and is actually looking forward to this particular issue. It's a good one, even though we were told in committee it was just a shadow that we were fighting on the wall.

I would recognize also that there were three amendments that were introduced that did the exact same thing that have now been incorporated in this particular amendment. Somebody once told me, well, when you steal you should steal from the best. I think this is stolen from the best simply because the ones that were not recommended were my amendments.

Therefore, since we're saying the same thing, in the spirit of bipartisanship, what else can I say, other than this is the right thing to do, and I actually personally support this particular amendment. It is the right thing to do. Regardless of who gets credit for it, it is the right thing to do.

I yield back the balance of my time.

Mr. ALTMIRE. I thank the gentleman for his comments and welcome his support.

I do have a few other speakers who wish to weigh in. I would like to now recognize my good friend and colleague from the Commonwealth of Pennsylvania (Mr. CARNEY) for 2 minutes.

Mr. CARNEY. Mr. Chairman, I'd like to thank Mr. ALTMIRE for his leadership on this position.

Hunting and angling are beloved traditions. They are activities I enjoyed with my grandfather and my father, and I enjoy them with my children.

Hunting and angling are not just sports, however. They're also a way of life where fathers and mothers can spend quality time with their children and pass on some knowledge of what they learned as children themselves.

There are over 34 million hunters and anglers in the United States, and they spend more than \$76 billion a year in hunting and fishing.

It is safe to say that hunters and anglers are an economic powerhouse, driving the economy from big businesses to rural towns, through booms and recessions. They are directly supportive of 1.6 million jobs, which is twice as many jobs as the combined civilian payrolls of our Air Force, our Army, our Navy and our Marine Corps.

Because of hunters, 28,000 jobs are supported in Pennsylvania alone. Over \$425 million of tax revenues is generated that can preserve land and wildlife.

Now, our bill, this amendment does several things. It codifies the National Landscape Conservation System, the NLCS, under the control of the BLM. But it will ensure that nothing in the bill will limit, in any way, access to hunting, fishing, trapping or recreational shooting on the 27 million

acres administered by the BLM, the Bureau of Land Management.

It also ensures that the bill will not infringe on a State's right to manage, control or regulate its hunting, fishing, trapping and recreational shooting activities. That is why I urge all my colleagues to support this important amendment.

Mr. ALTMIRE. I thank the gentleman from Pennsylvania, the co-author of this important amendment. And at this time I would recognize another freshman colleague from the great State of Ohio, my good friend, Mr. SPACE, for 1 minute.

Mr. SPACE. Mr. Chairman, I rise today in support of the Altmire-Carney amendment before us. This amendment is necessary to ensure that the underlying bill protects the rights of sportsmen across the Nation. The amendment does this by making clear that in no way will the measure affect the ability of the States to regulate fish and wildlife under State laws. It also makes clear that nothing in the bill will limit access for hunting, fishing, trapping or recreational shooting.

As a gun owner, a member of the NRA, and as a member of the Sportsmen's Caucus, this amendment is incredibly important to our second amendment rights. And as my colleague from the great State of Pennsylvania indicated just a few moments ago, Mr. CARNEY, that is important to our way of life.

I'm proud to advocate for this amendment on behalf of my fellow sportsmen and women in Ohio's 18th District, and I strongly urge passage of this amendment.

Mr. KIND. Mr. Chairman, I rise today in strong support of the amendment by my colleagues, Mr. ALTMIRE and Mr. CARNEY, which will offer some needed comfort to those of us in the sportsmen's community who seek to protect what access remains to cherished hunting and fishing opportunities on public lands. With the adoption of this amendment, I would urge all of my colleagues on the Congressional Sportsmen's Caucus to vote for the underlying bill as well.

Without a doubt, the 26 million acres that constitute the National Landscape Conservation system's more than 850 individual units represent some of the very best hunting and fishing opportunities available today. These lands harbor bighorn sheep, elk, pronghorn, mule and white-tailed deer, caribou, salmon, chinook, sockeye, steelhead, redband trout, and so many more game and non-game species, not to mention spectacular landscapes unparalleled in the rest of the bureau of land management. These are the very best places the BLM has to offer, and they are very deserving of the additional recognition and institutional support H.R. 2016 will provide.

Opponents of H.R. 2016, the National Landscape Conservation System Act, have claimed that it will create a new Federal bureaucracy that will usurp private land rights, divert Federal dollars, and dilute public access. None of these claims is true. By simply codifying in law a designation that has existed through administrative action for the last eight years, H.R. 2016 will change nothing in how the BLM or

Department of the Interior manages these lands. What it will do is raise the profile of these national treasures both within the department and with the public so that they are known by all as the gems of the BLM's stewardship mandate rather than mere afterthoughts subject to executive fiat.

While the underlying bill already contains a savings clause stating that all existing laws and regulations governing these lands will continue to be exercised and enforced as before, the Altmire-Carney Amendment very simply adds an explicit reminder that hunting and fishing will continue to go hand in hand with conservation, as sportsmen and women provide the primary source of funds for state and local conservation budgets. It is appropriate that hunting and fishing rights be retained in the National Landscape Conservation system.

As co-chair of the Congressional Sportsmen's Caucus and a member of the Natural Resources Committee, I wish to thank my friend and subcommittee chair RAÚL GRIJALVA for introducing this bill, chairman RAHALL for his invaluable support, and Representatives ALTMIRE and CARNEY for offering this important amendment. I urge my colleagues to support this amendment and the underlying measure.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ALTMIRE).

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110-573.

Mr. PEARCE. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. PEARCE:

Page 4, at the end of line 23, insert the following: "Specifically, inclusion in the National Landscape Conservation System shall not affect current grazing rights or operations."

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, today I'm offering a simple, straightforward amendment. It states, "Specifically, inclusion in the National Landscape Conservation System shall not affect current grazing rights or operations." That's it.

This language is very clear. We're working to protect the ranching economies of our western States.

In the West, many of our communities depend on ranching as a traditional and an important way of economy. The West was settled by ranchers who brought with them little more than a few cattle, the clothes on their back and hope for the future. Today, America's ranchers still hold the dream of a better future.

In New Mexico and across the West, our ranchers are real conservationists and know how to protect the land they depend on every day. Their lands are often the backstop against growth, and they are the voice of preserving the rural nature of our lands.

However, in countries in the West, it's not uncommon that we find 30 percent, 18 percent, 6 percent or even 2 percent private lands. Therefore, our ranchers depend on public lands for their operations. These ranchers bring in millions of dollars of economic activity to New Mexico and the entire West. In many places, ranching is the single largest economic driver in our communities.

My amendment will ensure that nothing in this act cuts off the current operations of ranchers in the West. Without this amendment, it is entirely possible that the enactment of this bill will cut off millions of dollars in activity and devastate our western counties.

Supporters of this bill tell us that it will not stop the multiple use of our BLM lands. However, my amendment ensures that this legislation does not stop ranching.

Let me leave you with no doubt. This amendment will ensure that we do not cut off our ranchers from lands that they have used for years. In some cases, the same ranching families have administered these lands for more than 100 years.

Ranching is an important part of our economy, an important part of the history of the West, and passing this amendment will ensure that ranching has a part of the future in this West.

It's a simple amendment. It is endorsed by the National Cattlemen's Beef Association, by the New Mexico Cattle Growers Association, New Mexico Wool Growers and the New Mexico Federal Lands Council.

Mr. Chairman, I urge its passage, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Grazing is obviously allowed in the units of the NLCS where it is appropriate, and nothing in this legislation would change that. The savings clause makes that fact as clear as it could possibly be. The underlying bill makes no changes to existing grazing rights.

Were this amendment written simply as an extension of the savings clause, as many other amendments offered today have been, it would be unnecessary, but not harmful to the bill. This amendment goes much, much further,

however. It is not as simple as a savings clause specific to grazing. Rather, this amendment would operate to prohibit the BLM from maintaining current standards, dictating the location and the management of grazing on these lands.

This amendment goes beyond simply saying that nothing in this act shall impact grazing, to say that the presence of these areas in the NLCS cannot affect the operation of grazing. Talk about an invitation to litigation.

Does this mean the BLM would lose the authority to manage grazing on 800 or so units in the system?

Does this mean that those NLCS units where grazing is not allowed under current law would have to be opened up, whether it was appropriate or not?

The Pearce amendment could operate to force grazing into sensitive conservation areas where it is currently prohibited, and for good reason. Arguably, this amendment's an attempt to use this simple authorization bill to undermine provisions of existing grazing law that have been on the books for years.

If the gentleman from New Mexico wants to make sweeping amendments to the grazing law, he should do so directly, not by means of an amendment on this bill.

I urge the defeat of this amendment and reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, at this time I'd like to yield 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. The amendment offered by Mr. PEARCE is critical to protecting ranchers who produce our food from the negative consequences of this bill. Without the Pearce language, ranchers would be left to the whims of future Secretaries of Interior that will diminish ranching opportunities.

Already, grazing rights are under assault on multiple fronts. There is a simple element out there that loathes grazing on public land. And our food supply is, indeed, worthy of protection and worthy of the use of our public land.

Despite opposition to this amendment in committee, I hope the other side will now recognize that granting these small protections in the legislation is, indeed, our duty. We cannot abandon our responsibility to legislate by leaving to bureaucrats the opportunity to isolate bankrupt ranchers dependent upon grazing.

We thank Mr. PEARCE for his foresight and determination to protect grazing rights now and in the future, and urge support of his amendment.

Mr. GRIJALVA. We reserve our time, Mr. Chairman.

Mr. PEARCE. Mr. Chairman, I observe that we are hearing the same tired excuse that nothing in this underlying bill affects this. Yet I would simply point out to the ranchers of this land that now, under the majority, you don't rate as high as the sportsmen. You don't rate as high as those people

who are concerned about border security, because we were told that same tired language that nothing in the bill affected them, but the majority's been willing to adapt the language here because they know that the underlying bill affects it. But they are not going to make one amendment in order that would protect our ranchers and protect and make sure that this language doesn't affect them.

It is really unusual that we're hearing such a diverse opinion from the sponsor of this bill right now. It says that nothing affects it. And then he reads all sorts of language in, and again for those people who are watching and listening, I would simply say again, read the very simple language: "Specifically, inclusion in the National Landscape Conservation System shall not affect the current grazing rights or operations."

And yet we've built all of these potentials that we have created for this language that we are, in fact, rewriting the entire way that grazing is done. Grazing is always done by cows walking out and munching on the grass. And it's a very simple operation. I think that maybe our amendment is being overcharacterized. I appreciate the gentleman from Arizona and his overcharacterization. But the truth is, we're simply trying to protect the ranchers in the West who use the public lands, and many times there are no private lands to graze off of.

I would reserve the balance of my time.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. GRIJALVA. Mr. Chairman, these are not tired excuses. I think my attempt has been an exercise in trying to drill the facts of the legislation into those that don't want to hear it.

□ 1500

The underlying bill makes no change to existing law regarding grazing. The amendment, in contrast, could be interpreted as expanding existing grazing into areas where it is not appropriate. We tried to work with the gentleman from New Mexico to draft his amendment more clearly, but because this amendment is unacceptably broad, it must be defeated.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. WALDEN OF OREGON

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110-573.

Mr. WALDEN of Oregon. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. WALDEN of Oregon:

Page 3, strike lines 19 through 23.

Page 3, line 24, strike “(B)” and insert “(A)”.

Page 4, line 1, strike “(C)” and insert “(B)”.

Page 4, line 3, strike “(D)” and insert “(C)”.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Oregon (Mr. WALDEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. WALDEN of Oregon. Mr. Chairman, almost 9 years ago, the Department of the Interior proposed designating Steens Mountain in Harney County, Oregon, as a national monument. This designation would have harmed the cooperative management and preservation successes on the mountain and would have choked the local ranching way of life while allowing little public input into the management process.

So I met with the people of Harney County out at Frenchglen, and we challenged then-Secretary of Interior Bruce Babbitt to let us attempt to write a plan, rather than suffer the consequences of a top-down Federal designation. That would have been a way that would not only preserve the ecological treasure of Steens Mountain but also the way of life out in that part of Oregon.

To his credit, Secretary Babbitt allowed for our request. He gave us a shot at coming up with something better, and the residents of Harney County rolled up their sleeves and we all went to work.

This effort produced an historic bipartisan, legislative success. Working with State and Federal officials, representatives from the environmental community, my colleagues in the Oregon congressional delegation, the governor and others, we crafted a unique piece of legislation that not only satisfied the environmental concerns, or “lands legacy” initiative, of the Clinton administration but also allowed for a way of life to continue on the mountain that has existed for more than 100 years since the first settlers started arriving in this rugged part of the West in the 1800s.

Moreover, the bipartisan legislation established an historic agreement between conservation groups and the local ranching community, implemented a unique cooperative management system with oversight by a citizens’ advisory council, and among many other things, designated the first grazing-free, cow-free wilderness.

The bill was crafted with so much local and bipartisan support that it

was approved by the House on voice vote and unanimously by the United States Senate. In the years since, management principles in that legislation have proven that they can work; although it has not always been easy.

Unfortunately, many in Harney County who have dedicated much to the successful implementation of the Steens Act worry that Washington, D.C., again may derail the very specific purposes and objectives laid out in that Act. Without consulting the formally recognized stakeholder groups in the region, I’m concerned the underlying legislation would include the Steens in the National Landscape Conservation System.

Given my experience in creating the historic Steens Act, I understand the delicate balance between providing additional protection for deserving areas, while also ensuring the opportunities for other, historic uses. That is why I drafted the amendment today to strike the reference of the Steens Act from H.R. 2016, the National Landscape Conservation System Act.

The problem is simple. The Steens already has a set of strongly supported, congressionally mandated management purposes and objectives from the 106th Congress. I’m concerned that the Steens Act, specifically noted in this legislation, would give the Steens a duplicative set of management principles that would prove to be bait for unproductive lawsuits.

I certainly don’t want clauses in H.R. 2016 to be used to upend the delicate balance all parties, including conservation and ranching groups, achieved with the writing and passage of the Steens Act.

So, Mr. Chairman, if I might engage in a colloquy, can you assure me and the good people in Harney County that your bill, H.R. 2016, if it becomes law, will not in any way supersede, undermine, or be used as a reason to change any of the purposes established in section 1(b) or the objectives established in section 102(b) of the Steens Act, Public Law 106-399.

I yield to my colleague from Arizona. Mr. GRIJALVA. Thank you very much.

I am very well aware of the efforts made by you and the rest of the Oregon delegation to create one of the most unique pieces of Federal land management legislation in the Steens Act. You sought a balance of land protection, multiple historic uses, citizen involvement, and the creation of the first grazing-free wilderness in the country.

I can clearly state to you that H.R. 2016 will not in any way supersede, undermine or be used as a reason to change any of the purposes established in section 1(b) or the objectives established in section 102(b) of the Steens Act, Public Law 106-399.

Mr. WALDEN of Oregon. Chairman GRIJALVA, I appreciate your commitment to the Steens Act and recognition of all that went into its development and approval by Congress.

I thank you for your assurances here today on the floor of the House of Representatives to me and to the people of Harney County and this country.

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

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. GRIJALVA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CUMMINGS) having assumed the chair, Mr. SERRANO, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes, had come to no resolution thereon.

#### RECESS

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

Accordingly (at 3 o’clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1625

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUELLAR) at 4 o’clock and 25 minutes p.m.

#### REPORT ON RESOLUTION RELATING TO THE CONSIDERATION OF H.R. 5724, UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110-574) on the resolution (H. Res. 1092) relating to the consideration of the bill (H.R. 5724) to implement the United States-Colombia Trade Promotion Agreement, which was referred to the House Calendar and ordered to be printed.

#### NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1084 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2016.

□ 1627

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System, and for