

accomplishments such as those of Maria Telkes, who was a physicist and pioneer in solar energy and designed and built a solar house in the 1930s; or those of Admiral Grace Murray Hopper, who was buried at Arlington Cemetery in January, 1992, and was one of the very first software engineers who helped both the military, private sector, and academia develop the foundations of modern digital computing.

We just can't discuss important women in history without recognizing the outstanding contributions of Marie Curie, a physicist and chemist, who is one of the only people to ever receive two Nobel prizes in different fields and the only woman to have won two Nobel prizes. Her Nobel prizes were awarded for her work on radioactivity and the discovery of the elements of polonium and radium.

I urge my colleagues to join me in support of the resolution before us today.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank Mr. HALL for supporting this legislation and thank the gentleman who sponsored it. And I'm very pleased, Mr. Speaker, that he mentioned Ms. Connie Morella, whom I worked with from the time I arrived until she left on this very subject. And I hope that we are gaining more and more support to encourage our young women to stay involved in these STEM programs and recognize our achievers so that they can know that they are great examples.

I urge my colleagues to support this resolution.

Mr. REICHERT. Mr. Speaker, I am the proud sponsor of House Resolution 1180, which recognizes the important contributions of women to science, technology, engineering, mathematics, and the health of many industries that have created new jobs, boosted economic growth, and improved our Nation's competitiveness.

Congress must continue to educate the public about the important role of women in society and recognize the key accomplishments of women in scientific fields. Furthermore, we must encourage more young women to pursue careers in science and technology fields by adequately funding STEM education in our schools.

Much is being done in the Pacific Northwest to achieve these goals. Seattle's Pacific Science Center remains an educational force in our region and continues to inspire students' interest in science. Similarly, the Museum of Flight recognizes the success of female aviation pioneers and helps young women discover career possibilities in the world of aerospace.

I am pleased that the Science and Technology Committee quickly brought this measure to the floor in a bipartisan manner, and I urge all of my colleagues to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms.

EDDIE BERNICE JOHNSON) that the House suspend the rules and agree to the resolution, H. Res. 1180, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution recognizing the efforts and contributions of outstanding women scientists, technologists, engineers, and mathematicians in the United States and around the world."

A motion to reconsider was laid on the table.

PUBLIC LAND COMMUNITIES TRANSITION ACT OF 2008

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3058) to amend chapter 69 of title 31, United States Code, to provide full payments under such chapter to units of general local government in which entitlement land is located, to provide transitional payments during fiscal years 2008 through 2012 to those States and counties previously entitled to payments under the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 3058

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Public Land Communities Transition Act of 2008".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Transitional payments States and counties previously entitled to payments under Secure Rural Schools and Community Self-Determination Act of 2000.
- Sec. 3. Special requirements regarding transition payments to certain States.
- Sec. 4. Conservation of resources fees.
- Sec. 5. Sense of Congress on distribution of secure rural schools transition payments to eligible counties.

SEC. 2. TRANSITIONAL PAYMENTS STATES AND COUNTIES PREVIOUSLY ENTITLED TO PAYMENTS UNDER SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) TRANSITIONAL PAYMENTS.—Chapter 69 of title 31, United States Code, is amended by adding at the end the following new section:

"§ 6908. Secure rural schools transition payments

"(a) DEFINITIONS.—In this section:

"(1) ADJUSTED SHARE.—The term 'adjusted share' means the number equal to the quotient obtained by dividing—

"(A) the number equal to the quotient obtained by dividing—

"(i) the base share for the eligible county; by

"(ii) the income adjustment for the eligible county; by

"(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (8)(A) for all eligible counties.

"(2) BASE SHARE.—The term 'base share' means the number equal to the average of—

"(A) the quotient obtained by dividing—

"(i) the number of acres of Federal land described in paragraph (7)(A) in each eligible county; by

"(ii) the total number acres of Federal land in all eligible counties in all eligible States; and

"(B) the quotient obtained by dividing—

"(i) the amount equal to the average of the 3 highest 25-percent payments and safety net payments made to each eligible State for each eligible county during the eligibility period; by

"(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (9)(B)(i) for all eligible counties in all eligible States during the eligibility period.

"(3) COUNTY PAYMENT.—The term 'county payment' means the payment for an eligible county calculated under subsection (c).

"(4) ELIGIBLE COUNTY.—The term 'eligible county' means any county that—

"(A) contains Federal land (as defined in paragraph (7)); and

"(B) elects to receive a share of the State payment or the county payment under subsection (f).

"(5) ELIGIBILITY PERIOD.—The term 'eligibility period' means fiscal year 1986 through fiscal year 1999.

"(6) ELIGIBLE STATE.—The term 'eligible State' means a State or territory of the United States that received a 25-percent payment for 1 or more fiscal years of the eligibility period.

"(7) FEDERAL LAND.—The term 'Federal land' means—

"(A) land within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010-1012); and

"(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant land as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site land valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

"(8) 50-PERCENT ADJUSTED SHARE.—The term '50-percent adjusted share' means the number equal to the quotient obtained by dividing—

"(A) the number equal to the quotient obtained by dividing—

"(i) the 50-percent base share for the eligible county; by

"(ii) the income adjustment for the eligible county; by

"(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (1)(A) for all eligible counties.

"(9) 50-PERCENT BASE SHARE.—The term '50-percent base share' means the number equal to the average of—

"(A) the quotient obtained by dividing—

"(i) the number of acres of Federal land described in paragraph (7)(B) in each eligible county; by

"(ii) the total number acres of Federal land in all eligible counties in all eligible States; and

"(B) the quotient obtained by dividing—

"(i) the amount equal to the average of the 3 highest 50-percent payments made to each eligible county during the eligibility period; by

“(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (2)(B)(i) for all eligible counties in all eligible States during the eligibility period.

“(10) 50-PERCENT PAYMENT.—The term ‘50-percent payment’ means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f-1 et seq.).

“(11) FULL FUNDING AMOUNT.—The term ‘full funding amount’ means—

“(A) \$520,000,000 for fiscal year 2008; and

“(B) for fiscal years 2009, 2010, and 2011, the amount that is equal to 90 percent of the full funding amount for the preceding fiscal year.

“(12) INCOME ADJUSTMENT.—The term ‘income adjustment’ means the square of the quotient obtained by dividing—

“(A) the per capita personal income for each eligible county; by

“(B) the median per capita personal income of all eligible counties.

“(13) PER CAPITA PERSONAL INCOME.—The term ‘per capita personal income’ means the most recent per capita personal income data, as determined by the Bureau of Economic Analysis.

“(14) SAFETY NET PAYMENTS.—The term ‘safety net payments’ means the special payment amounts paid to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

“(15) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal land described in paragraph (7)(A); and

“(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal land described in paragraph (7)(B).

“(16) STATE PAYMENT.—The term ‘State payment’ means the payment for an eligible State calculated under subsection (b)

“(17) 25-PERCENT PAYMENT.—The term ‘25-percent payment’ means the payment to States required by the sixth paragraph under the heading of ‘forest service’ in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

“(b) CALCULATION OF STATE PAYMENT AMOUNT.—For each of fiscal years 2008 through 2011, the Secretary of Agriculture shall calculate for each eligible State an amount equal to the sum of the products obtained by multiplying—

“(1) the adjusted share for each eligible county within the eligible State; by

“(2) the full funding amount for the fiscal year.

“(c) CALCULATION OF COUNTY PAYMENT AMOUNT.—For each of fiscal years 2008 through 2011, the Secretary of the Interior shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the product obtained by multiplying—

“(1) the 50-percent adjusted share for the eligible county; by

“(2) the full funding amount for the fiscal year.

“(d) PAYMENT AMOUNTS FOR ELIGIBLE STATES.—The Secretary of the Treasury shall pay to each eligible State an amount equal to the sum of the amounts elected under subsection (f) by each county within the eligible State for—

“(1) if the county is eligible for the 25-percent payment, the share of the 25-percent payment; or

“(2) the share of the State payment of the eligible county.

“(e) PAYMENT AMOUNTS FOR ELIGIBLE COUNTIES.—The Secretary of the Treasury shall pay to each eligible county an amount equal to the amount elected under subsection (f) by the county for—

“(1) if the county is eligible for the 50-percent payment, the 50-percent payment; or

“(2) the county payment for the eligible county.

“(f) ELECTION TO RECEIVE PAYMENT AMOUNT.—

“(1) ELECTION; SUBMISSION OF RESULTS.—

“(A) IN GENERAL.—The election to receive a share of the State payment, the county payment, a share of the State payment and the county payment, a share of the 25-percent payment, the 50-percent payment, or a share of the 25-percent payment and the 50-percent payment, as applicable, shall be made at the discretion of each affected county by August 1, 2008, and thereafter in accordance with paragraph (2)(A), and transmitted to the Secretary concerned by the Governor of each eligible State.

“(B) FAILURE TO TRANSMIT.—If an election for an affected county is not transmitted to the Secretary concerned by the date specified under subparagraph (A), the affected county shall be considered to have elected to receive a share of the State payment, the county payment, or a share of the State payment and the county payment, as applicable.

“(2) DURATION OF ELECTION.—

“(A) IN GENERAL.—A county election to receive a share of the 25-percent payment or 50-percent payment, as applicable, shall be effective for 2 fiscal years.

“(B) FULL FUNDING AMOUNT.—If a county elects to receive a share of the State payment or the county payment, the election shall be effective for all subsequent fiscal years through fiscal year 2011.

“(g) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible State or eligible county under this section for a fiscal year shall be derived from—

“(1) any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, special account, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management or the Forest Service on the applicable Federal land;

“(2) for fiscal year 2008, any funds appropriated to carry out this section; and

“(3) to the extent of any shortfall, out of any amounts in the Treasury of the United States not otherwise appropriated.

“(h) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

“(1) DISTRIBUTION METHOD.—A State that receives a payment under this section shall distribute the appropriate payment amount among the appropriate counties in the State in accordance with—

“(A) the Act of May 23, 1908 (16 U.S.C. 500); and

“(B) section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

“(2) EXPENDITURE PURPOSES.—Subject to paragraph (3), payments received by a State under this section and distributed to counties in accordance with paragraph (1), and payments received directly by an eligible county under this section, shall be expended in the same manner in which 25-percent payments or 50-percent payments, as applicable, are required to be expended.

“(3) RESERVATION OF PORTION OF PAYMENTS.—Each eligible county receiving a payment under this section or a portion of a State’s payment under this section shall reserve not less than 15 percent of the amount

received for expenditure in accordance with titles II and III of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393).

“(i) TIME FOR PAYMENT.—The payments required under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 69 of title 31, United States Code, is amended by adding at the end the following new item:

“6908. Secure rural schools transition payments.”

(c) EXTENSION OF TITLES II AND III OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.—

(1) EXTENSION.—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended—

(A) in sections 203(a), 204(e)(3)(B)(vi), 207(a), 208, and 303 by striking “2007” and inserting “2011”;

(B) in sections 208 and 303, by striking “2008” and inserting “2012”.

(2) DEFINITION OF PARTICIPATING COUNTY.—The Secure Rural Schools and Community Self-Determination Act of 2000 is amended—

(A) in section 201(1), by inserting before the period the following: “or that is required to reserve funds under section 6908(h)(3) of title 31, United States Code, or section 3(e) of the Public Land Communities Transition Act of 2008”; and

(B) in section 301(1), by inserting before the period the following: “or that is required to reserve funds under section 6908(h)(3) of title 31, United States Code, or section 3(e) of the Public Land Communities Transition Act of 2008”.

(3) DEFINITION OF PROJECT FUNDS.—The Secure Rural Schools and Community Self-Determination Act of 2000 is amended—

(A) in section 201(2), by inserting before the period the following: “or reserves under section 6908(h)(3) of title 31, United States Code, or section 3(e) of the Public Land Communities Transition Act of 2008 for expenditure in accordance with this title”; and

(B) in section 301(2), by inserting before the period the following: “or reserves under section 6908(h)(3) of title 31, United States Code, or section 3(e) of the Public Land Communities Transition Act of 2008 for expenditure in accordance with this title”.

SEC. 3. SPECIAL REQUIREMENTS REGARDING TRANSITION PAYMENTS TO CERTAIN STATES.

(a) DEFINITIONS.—In this section:

(1) ADJUSTED AMOUNT.—The term “adjusted amount” means, with respect to a covered State—

(A) for fiscal year 2008—

(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393), as in effect on September 29, 2006, for the eligible counties in the covered State that have elected under section 6908 of title 31, United States Code, as added by section 2 of this Act, to receive a share of the State payment for fiscal year 2008; and

(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393), as in effect on September 29, 2006, for the eligible counties in the State of Oregon that have elected under section 6908 of title 31, United States Code, as added by section 2 of this Act, to receive the county payment for fiscal year 2008;

(B) for fiscal year 2009, 90 percent of—

(i) the sum of the amounts paid for fiscal year 2006 under such section 102(a)(2) for the

eligible counties in the covered State that have elected under such section 6908 to receive a share of the State payment for fiscal year 2009; and

(i) the sum of the amounts paid for fiscal year 2006 under such section 103(a)(2) for the eligible counties in the State of Oregon that have elected under such section 6908 to receive the county payment for fiscal year 2009;

(C) for fiscal year 2010, 81 percent of—

(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) for the eligible counties in the covered State that have elected under such section 6908 to receive a share of the State payment for fiscal year 2010; and

(ii) the sum of the amounts paid for fiscal year 2006 under such section 103(a)(2) for the eligible counties in the State of Oregon that have elected under such section 6908 to receive the county payment for fiscal year 2010; and

(D) for fiscal year 2011, 73 percent of—

(i) the sum of the amounts paid for fiscal year 2006 under such section 102(a)(2) for the eligible counties in the covered State that have elected under such section 6908 to receive a share of the State payment for fiscal year 2011; and

(ii) the sum of the amounts paid for fiscal year 2006 under such section 103(a)(2) for the eligible counties in the State of Oregon that have elected under such section 6908 to receive the county payment for fiscal year 2011.

(2) COVERED STATE.—The term “covered State” means each of the States of California, Louisiana, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, and Washington.

(3) ELIGIBLE COUNTY.—The term “eligible county” has the meaning given that term in section 6908 of title 31, United States Code, as added by section 2 of this Act.

(b) TRANSITION PAYMENTS.—For each of fiscal years 2008 through 2011, in lieu of the payment amounts that otherwise would have been made under section 6908 of title 31, United States Code, as added by section 2 of this Act, the Secretary of the Treasury shall pay the adjusted amount to each covered State and the eligible counties within the covered State, as applicable.

(c) DISTRIBUTION OF ADJUSTED AMOUNT.—It is the intent of Congress that the method of distributing the payments under subsection (b) among the counties in a covered State (other than California) for each of fiscal years 2008 through 2011 be in the same proportion that the payments were distributed to the eligible counties in that State in fiscal year 2006.

(d) DISTRIBUTION OF PAYMENTS IN CALIFORNIA.—The following payments shall be distributed among the eligible counties in the State of California in the same proportion that payments under section 102(a)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393), as in effect on September 29, 2006, were distributed to the eligible counties for fiscal year 2006:

(1) Payments to the State of California under subsection (b).

(2) The shares of the eligible counties of the State payment for California under section 6908 of title 31, United States Code, as added by section 2 of this Act, for fiscal year 2011.

(e) TREATMENT OF PAYMENTS.—Any payment made under subsection (b) shall be considered to be a payment made under section 6908 of title 31, United States Code, as added by section 2 of this Act, except that each eligible county receiving a payment under such subsection or a portion of such payment under subsection (c) or (d) shall reserve not

less than 15 percent of the amount received for expenditure in accordance with titles II and III of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393), as required by subsection (h)(3) of such section 6908.

SEC. 4. CONSERVATION OF RESOURCES FEES.

(a) ESTABLISHMENT OF FEES.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior by regulation shall establish—

(A) a conservation of resources fee for producing Federal oil and gas leases in the Gulf of Mexico; and

(B) a conservation of resources fee for non-producing Federal oil and gas leases in the Gulf of Mexico.

(2) PRODUCING LEASE FEE TERMS.—The fee under paragraph (1)(A)—

(A) subject to subparagraph (C), shall apply to covered leases that are producing leases;

(B) shall be set at \$9 per barrel for oil and \$1.25 per million Btu for gas, respectively, in 2005 dollars; and

(C) shall apply only to production of oil or gas occurring—

(i) in any calendar year in which the arithmetic average of the daily closing prices for light sweet crude oil on the New York Mercantile Exchange (NYMEX) exceeds \$34.73 per barrel for oil and \$4.34 per million Btu for gas in 2005 dollars; and

(ii) on or after October 1, 2006.

(3) NONPRODUCING LEASE FEE TERMS.—The fee under paragraph (1)(B)—

(A) subject to subparagraph (C), shall apply to leases that are nonproducing leases;

(B) shall be set at \$3.75 per acre per year in 2005 dollars; and

(C) shall apply on and after October 1, 2006.

(4) TREATMENT OF RECEIPTS.—Amounts received by the United States as fees under this subsection shall be treated as offsetting receipts.

(b) COVERED LEASE DEFINED.—In this section the term “covered lease” means a lease for oil or gas production in the Gulf of Mexico that is—

(1) in existence on the date of enactment of this Act;

(2) issued by the Department of the Interior under section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104-58); and

(3) not subject to limitations on royalty relief based on market price that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(c) ROYALTY SUSPENSION PROVISIONS.—The Secretary of the Interior shall agree to a request by any lessee to amend any lease issued for Central and Western Gulf of Mexico tracts during the period of January 1, 1998, through December 31, 1999, to incorporate price thresholds applicable to royalty suspension provisions, or amend existing price thresholds, in the amount of \$34.73 per barrel (2005 dollars) for oil and for natural gas of \$4.34 per million Btu (2005 dollars).

SEC. 5. SENSE OF CONGRESS ON DISTRIBUTION OF SECURE RURAL SCHOOLS TRANSITION PAYMENTS TO ELIGIBLE COUNTIES.

It is the sense of Congress that amounts made available by a State to an eligible county under section 6908 of title 31, United States Code, as added by section 2 of this Act, or under section 3 of this Act to support public schools in that county should be in addition to, and not in lieu of, general funds of the State made available to support public schools in that county, and that the State should not adjust education funding allocations to reflect the receipt of amounts under such section 6908 or section 3.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

This is incredibly important legislation, and I hope it doesn't devolve into the partisan debate that's been going on earlier today to point the fingers of blame on the current high cost of gasoline at the pump.

This is about another crisis the American people are experiencing, not as widespread as the cost of fuel, but the impact will be even heavier on more than 600 counties in 42 States and hundreds of school districts across America. This is the issue of whether or not we should continue to compensate these counties for the fact that they have very high ownership of Federal lands and Federal forests. Federal forest policy has changed, and their revenues have diminished dramatically, and many of them have no alternative, under their State constitution or other laws, to go out and replace those funds, particularly in the short term.

It's expensive. It would cost \$1.9 billion over 4 years. But being sensitive to the fact that many of us on this side of the aisle feel that the policies of recent years have put the country on the verge of bankruptcy, we pay for it. In fact, with the value of what we have in here as a so-called offset in Washington speak, the way we pay for it, with fees on offshore oil leases that were inadvertently omitted by the Clinton administration, would raise \$3.3 billion. That means we pay for rural schools and counties. That's 7,000 teachers. That's hundreds of deputy sheriffs, hundreds of corrections officers, many roadworkers, other critical public safety folks, public health, all across 42 States in America and 600 counties. We pay for that with this bill. In fact, we would help reduce the deficit, which is something we're handing off to our kids and we do need to deal with, by \$1.4 billion.

Now, some will object to the offset, that the oil companies shouldn't be required to pay a fee even though they got this royalty relief without a cap inadvertently, by mistake, by a previous administration. I really hope that they don't take the debate down that path. That does not do the counties, the schools, the teachers, the police, the deputies, and the others justice.

Let's focus on the issue at hand. They have an alternative to fund this. I have been trying desperately for more than a year. It's been quite some time since this bill came out of committee, and Mr. WALDEN and I joined in a bipartisan way earlier this year in a letter on January 18 to the majority asking that this bill be brought up. And then Mr. WALDEN on May 1 came to the floor with Mr. BLUNT and asked that

the bill be brought up. In fact, he sent out a press release saying it's been 44 legislative days and over 3 months, that it's a strongly bipartisan bill. I hope it stays bipartisan. To extend county payments has been ready for a vote on the House floor. I simply do not understand why the Democratic leadership has not scheduled a vote.

Well, the Democratic leadership has now scheduled a vote. And I hope that we can get back to the bipartisanship. I hope we can get back to the focus of this debate. Let's pass this bill and move it over to the Senate. If you don't like the way it's paid for, if you want to protect the royalty relief for the oil and gas industry, then vote "present," send the bill to the Senate, and see if they can come up with, as they claim, a better way to pay for it.

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

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

This is, to be honest, a very sad day on this bill today on the floor. As an educator, I simply understand the need for secure rural schools funding. As a westerner and someone who served for a long time in the State legislature, I understand what payment in lieu of taxes, or PILT, means to western counties.

Unfortunately, though, this bill that is before us today did not get here through regular order. This is not the same bill we discussed in committee nor is it the same bill that I and some others cosponsored. It appears almost as if political games are now being played in an effort to pass this particular bill, which breaks new ground. The precedent has always been, in dealing with secure rural schools and PILT, that we have dealt in a bipartisan manner in an effort to find legal and politically feasible solutions to pay for secure rural schools and payment in lieu of taxes. We have always addressed these two issues in a bipartisan manner, always, until now. H.R. 3058, this version of it, has broken that covenant.

When a version of this numbered bill was passed in the Resources Committee, two promises were made to the Republicans who cosponsored it, Mr. WALDEN and me and others. The first promise was that PILT would not be decoupled from secure rural schools. I cannot stress enough the importance of PILT funding being coupled with secure rural schools, as was promised. Even the majority leader in the Senate has said this is the key to the success of this piece of legislation. And yet this promise was broken.

Second, the offset using the 1998/1999 lease moneys was supposed to be taken out by the time this came to the floor. This set of money, which has already been spent three times on three different bills, not the same pot of money, the exact same dollars which have been spent, is not going to be a solution to this. The gentleman from Oregon suggested last night that there might be

constitutional concerns and we should not listen to those. I have some sympathy for that approach, but the fact of the matter is his speech last night was to the wrong audience. It should be to the lower courts, who have already ruled that this pot of money is not accessible to us.

In 2006 we passed the Deep Ocean Energy Resources Act. Using these fees for that was justifiable. Using it in this bill is not justifiable. Those fees for the Deep Ocean Energy Resources Act was to fund programs and projects related to conservation of OCS-related resources. It was to increase America's energy supply and encourage domestic energy development on the Outer Continental Shelf. Because we are no longer using that and have now taken them to a different level, it will be a breach of the oil and gas leases and designed to punish energy companies and discourage much-needed domestic oil and gas production. This bill sends now a message to every energy company in America that Congress will not respect lease contracts and will result in less oil, less gas production, which I certainly hope is not the objective of the Democratic Party.

We need to have a different way of paying for this bill that does not include an energy price-increasing bankrupt offset. We need a genuine offset that will pay for both PILT and secure rural schools without making America's energy more expensive, less available. And to be honest, if the court upholds their ruling that they already had, if the other courts do, there won't be any money for secure rural schools in this project anyway.

Now, I know there will be people who will tell us this is merely a bogus placeholder. We don't really mean to use this money as the bill progresses through, which simply shows that perhaps PAYGO is nothing more than an accounting game or scam as we're looking at it, and that all we need to do is give a blank check over to the Senate, pass it along, and they will fill in some reasonable way of funding this particular bill. We will abdicate our responsibility of coming up with legal, legitimate, responsible legislation because somewhere down the line, someone else will do it.

If the Senate, indeed, has a secret magical formula for funding this bill, why wasn't it in the farm bill? Why wasn't it in the extension of the Rural Schools Act? Why did the Senate not put it in a bill and send it over here? Or why did the sponsor not negotiate with the Senate to insert it in this bill so we could discuss it in the House?

The promise was before this bill to the floor there would be a legitimate source for an offset. It is not there. Instead, we seem to be playing a game of political gotcha, which is so sad because there was a compromise that could have funded this bill and done it in a legally effective way. It was presented by the National Education Association on behalf of schools. It was sup-

ported by the consortium of counties. It was supported by energy producers that would have fully funded PILT, fully funded the secure rural schools, expanded energy options. It would have given States control over sand and gravel for beach replenishment, over the viewshed, States control over their offshore renewable energies, would have funded energy and minerals higher education program, and be done with real money, not the funny money in this particular bill. It is language that is similar to a bipartisan bill passed in the 109th Congress which was supported by Mr. DEFAZIO and 39 other Democrats in a bipartisan way.

The question that we have to ask ourselves today is why are we confronted on suspension with a bill that has a phony PAYGO offset, money that we know is not there? Why are we presented with a suspension bill that has already been rejected by the Senate, that has already been rejected by the administration? Why instead did we not agree to go with the compromise approach, which would have had real offsets and provided real solutions to fully fund our schools, to fully fund PILT, and not to have to take it out of the hide of anyone who stops at a gas pump this weekend? Now, that's what we should have done, and we didn't do it. And that's why this is a very, very sad day on a bill that was not discussed in committee.

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

□ 1415

Mr. DEFAZIO. It's not phony, it's just painful. Schools, teachers, cops, Big Oil. It's a tough choice for some people. Not for me. I'd be happy to stick with this, all the way through sending it to the President. But some on that side of the aisle, particularly in the Senate, don't want to do that. If the money has not been spent because the Republicans in the Senate have rejected it to pay for other valuable things, this is a valuable thing to pay for.

With that, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding and also thank you for your great work on this bill, Mr. DEFAZIO, and thank you especially for paying for the bill.

Mr. Speaker and Members, county governments don't receive property tax for lands owned and controlled by the Federal Government. However, they are obligated to provide services in those areas. The Secure Rural Schools and Community Self-Determination Act was created to compensate local governments for the tax exempt status of the public lands within their county. If we fail to reauthorize this important program, teachers will be laid off, kids will be short-changed on their education, and county roads will go unmaintained.

In my district, over 1.2 million acres are controlled by the Federal Government. The National Forest Service

land in my district is twice the size of the State of Rhode Island, and every acre, every acre is exempt from property tax. In one of my counties, 40 percent of the roads are within the National Forest. So that county is responsible for maintaining the roads that run through the very property that is exempt from the taxes that pay for our roads.

It's unconscionable for the Federal Government to walk away from this obligation to rural local governments. Rural counties have no other options. We have made a commitment on this issue. Now let's live up to our word.

Mr. BISHOP of Utah. As we now talk about a bill that a commitment was made but does not exist anymore, I yield 1½ minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, counties and schools in my district need a lifeline. They don't need partisanship. They don't need a talking point. They need leadership, which will result in an actual law being passed to help them.

Secure rural schools has rested on hard work by grassroots supporters and bipartisan efforts in Congress. So why are we moving a bill that divides our coalition by removing PILT and tying secure rural schools to a controversial offset that we know will fail in the Senate?

This bill does nothing to help our counties and schools because it has no chance of becoming law. Yesterday, there was an effort to rescue this legislation with a compromise that would extend a lifeline to rural counties and every American through new domestic oil production and lower gas prices. That proposal was rejected because we were told the majority will not allow consideration of any bill that increases domestic oil supplies.

America and our counties and schools deserve better. I urge a "no" vote.

Mr. DEFAZIO. I yield 2 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. I rise in strong support of H.R. 3058, and I want to thank my good friend and colleague, Mr. DEFAZIO, for his hard work and tireless work on this issue.

Almost exactly 100 years ago, Congress passed a law creating a partnership with rural counties with a high percentage of Federal land, and Congress realized that because the Federal lands were off-limits to the counties for development and they would never contribute to the tax base, that these counties should be compensated for permanent loss of any tax revenues. The law allowed a percentage of the revenue produced from Federal land resources to be returned to the county. Counties were then able to use these funds for public safety, public schools, and public roads.

Over the years, because of changes in Federal forest policy, the revenue for Federal lands has decreased and Federal lands are still off limits for development, and this leads many counties

in the American West with dramatic decreases in the tax base.

In 2000, we passed the Secure Rural Schools and Community Self-Determination Act in order to provide a stable base of funding to the affected counties. But that act has not been reauthorized and the Federal payments are scheduled to end June 30. This is a very, very serious issue in Oregon and across the American West, where counties have already, in preparation for this date, in preparation for future budgets, begun to issue pink slips. They have issued pink slips to police, firefighters, teachers, and other essential personnel. It is not an exaggeration to say that Oregonians may have their lives endangered because of these cuts, if they take place.

The bill that my good friend and colleague from Oregon (Mr. DEFAZIO) has submitted would provide an extension of payments through fiscal 2011 to counties that previously received these payments. And to maintain fiscal responsibility, the bill is fully paid for with offsets, and it reduces payments to counties by 15 percent each year, asking all to make sacrifices.

Mr. DEFAZIO. Can I inquire as to the time remaining, please.

The SPEAKER pro tempore (Mr. ROSS). The gentleman from Oregon has 12 minutes remaining. The gentleman from Utah has 12½ minutes remaining.

Mr. BISHOP of Utah. I yield 2 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, this program needs to be reauthorized. I represent northeastern California, which is one of the top recipients of money under this Secure Rural Schools and Community Self-Determination Act, which expired a couple of years ago. Just to give you an example, Plumas County School District in my district receives roughly 20 percent of their annual operating budget from these funds. Without this money, the county is prepared to lay off 9 out of the 16 administrators; 47 teachers out of a total of 150; close all school libraries; possibly close some or all cafeterias; and cut transportation services. Another county adjoining Plumas that I represent is Sierra. They would need to lay off nearly 40 percent of their teachers and administrators.

Today's bill will not become law and therefore does nothing to support our rural counties. We cannot continue to go from year to year without this being resolved. In California, if you don't have the funding assured, layoff notices are sent off by March 15 of the year. For the second year in a row, those layoff notices have already gone out. We lose valuable teachers that do not come back once the funding has been restored.

This debate should be about schools and public infrastructure, not used as fodder to drive an anti-oil agenda. This process that we are using is deplorable. We were told that PILT would be included, but it was stripped out of the

bill on its way to the floor. We were told there would be an acceptable offset, not one that has been rejected on three previous occasions by the U.S. Senate. But there is none.

We are also considering this bill under suspension of the bills, denying the minority a right to offer an alternative and preventing any Member from offering alternative offsets. A compromise has been offered and rejected.

For this reason, I would urge defeat of the bill.

GENERAL LEAVE

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on this bill under consideration.

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

There was no objection.

Mr. DEFAZIO. With that, I would yield 1½ minutes to the gentleman from Washington State (Mr. BAIRD).

Mr. BAIRD. I rise in strong support of H.R. 3058, the Public Land Communities Transition Act, and I commend my dear friend, PETER DEFAZIO. I have rarely seen a Member of Congress work so diligently on behalf of his constituents. He also works on behalf of my constituents because in southwest Washington, we are one of the 10 most forested districts in the entire country. So much of the land in my district is under control of the Forest Service. Counties like Lewis, Skamania, and Cowlitz rely on Secure Rural Schools money to keep public safety working.

My friends, we have to work to pass this bill. It is urgent, as many speakers have said. It is a bit ironic, however, to criticize the bill and say the criticism is because this bill will not become law, and then vote against it. Things don't become law around here when people vote against them. Things become law when people vote for them.

Because of that, I would encourage my colleagues to vote for this bill. Without this bill, 600 counties across the country that are home to millions of Americans would be left behind. Without this program, millions of rural communities would face steep job losses, breakdowns in services and infrastructure, and deep cuts to school budgets. Without this funding, almost 7,000 teachers and other educational staff will be laid off across the country. They are facing termination as we speak.

Delay should not be an option. Passage should be our remedy. I urge passage of this fine bill.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to the ranking member of the Agriculture Committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to H.R. 3058, the Public Land Communities Transition Act of 2008. Mr. Speaker, this bill had the opportunity to provide rural schools with

the much-needed funding that allows them to keep their doors open and serve sparsely-populated areas. Unfortunately, the majority decided to offset this bill with provisions that will increase the cost of gas to the American public. Already paying \$4 a gallon at the pumps, Americans should not be forced to bear further increases, especially those living in rural areas that, on average, already drive greater distances.

The fee increases on oil and gas leases would place further confines on domestic energy production at a time when we need to be expanding production and building our Nation's energy independence.

This provision was included in the farm bill that was brought to the House floor a year ago, and was one of several tax increasing provisions that drew criticism from House Members, as well as the Senate and the White House. It would be disingenuous to sing praises of this bill when the cost of providing support to rural schools would be borne by the very rural constituents we are trying to help.

There is a proposed compromise that was introduced in the 109th Congress and enjoyed broad bipartisan support. It would solve the problems created by the oil and gas lease provisions in H.R. 3058 by increasing domestic energy exploration and production, thereby helping to reduce the gas prices for the American consumer. At the same time, this alternative would provide the necessary funding for rural school districts. That alternative would be something I could stand behind but, unfortunately, that is not the bill we are considering today.

I urge my colleagues to vote "no." I urge them to vote against the policy that will raise gas prices for Americans when they have the opportunity to do it right and create increased domestic energy production and solve this problem for our rural schools.

Mr. DEFAZIO. At this point I would yield 1½ minutes to the gentlelady from Oregon (Ms. HOOLEY) whose district is impacted.

Ms. HOOLEY. I would like to thank my colleague, Mr. DEFAZIO, for all of the work that he has done on this bill. Look, I grew up in a family where if you made a promise, you kept that promise. A deal is a deal.

County payments available for 100 years are payment for the Federal Government owning 57 percent of the forested land in Oregon. If the Federal Government did not make these payments, these counties would have very little in the way of infrastructure funding.

This money will cut the following services if we don't have it, and it will impact our most vulnerable citizens: Loss of sheriffs; loss of DAs; loss of economic development services and juvenile services; loss of mental health services, public health, and in general, loss of veterans services and senior services. The loss of county payments

means the loss of sheriffs. In just one county, Curry County alone, three sheriffs will have to patrol an area the same size as Connecticut, which has a police force of 2,000.

This bill is a 4-year extension of the Secure Rural Schools. This program will not continue unless we give this an appropriation. It needs to pass to provide that critical funding for our counties. I cannot over-emphasize the need for this legislation for Oregon and for the Nation to maintain its 100-year-old bargain with the National Forest States. I encourage my colleagues to support its passage today.

Mr. BISHOP of Utah. May I inquire how much time is left.

The SPEAKER pro tempore. The gentleman from Utah has 8½ minutes remaining. The gentleman from Oregon has 9.

Mr. BISHOP of Utah. With that, I would yield 2 minutes to the ranking member of the Resources Committee, the gentleman from Alaska (Mr. YOUNG).

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

□ 1430

Mr. YOUNG of Alaska. Mr. Speaker, when this bill came out of the committee, I thought we had an agreement where there would be an offset and a payment of the bill. Unfortunately, that did not occur, so consequently I will be voting against this legislation because it doesn't do what it says it is going to do. Very frankly, this is funny money, and the schools won't be, as we want them to be, funded, and that is unfortunate.

But I am also going to talk about a lot of the statements on the floor, and my good friend from Oregon has to understand that I do watch the debate. There were some statements made that I think were incorrect, in fact I know, not think, about ANWR and about PET4 and about independence.

There has been no oil shipped overseas from Alaska. It all goes to the West Coast, at one time through the Panama Canal, through a pipeline, for American consumption, all 17 billion barrels of oil. And if we were to open ANWR or the Chukchi Sea it would go to the United States. It wouldn't go overseas to China or Japan. We could make sure of that as we vote for it on this House floor, as we did when we had the Trans-Alaska Pipeline.

I think it is important that the American public recognize that we do have a supply problem. And anybody who denies that, I have heard these arguments for 25 years, well, we only do have one month or 6 months or whatever it is oil supply, so we shouldn't do it. If we have that 1 million barrels a day, Chavez would not have the ability to blackmail us, or if Nigeria had an upheaval, there wouldn't be the spike in oil prices.

A lot of people are pointing their fingers at all the problems, the big oil,

the speculators, and I do think there is some merit in the speculators because they know we haven't acted on the supply side ever since the Trans-Alaska Pipeline. Not one time.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. YOUNG of Alaska. Let's follow this train a little bit further. If we don't increase our supply, Mr. and Mrs. America, instead of \$4 a gallon, it is going to be \$10 a gallon by January 1.

We must act in this Congress, and if you do not, may the wrath come down on you and may you be punished for what you have not done. We must address this issue in this Congress. I urge my colleagues to consider the supply side. Consider it. And this legislation itself has its weak points, too.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL), the chairman of the Natural Resources Committee.

Mr. RAHALL. Mr. Speaker, I rise in support of H.R. 3058, the Public Land Communities Transition Assistance Act. As the chairman of the Committee on Natural Resources, I do want to express my deep appreciation to the gentleman from Oregon, PETER DEFAZIO, for his strongly tenacious efforts and determined determination on behalf of this legislation. He has more than adequately explained the bill. My purpose is to stress the urgency of this body acting on the legislation.

This legislation, commonly referred to as the "county payments bill," was enacted in 2000 to provide stability in revenue sharing payments made to the States and counties containing Federal forest lands. This funding has been extremely important, critically so in many cases, in assisting schools and communities in rural counties across the country, including my home State of West Virginia. Yet the Congress has failed to reauthorize the program.

This Congress, with a Democratic majority, is attempting to pick up the pieces of a program that was looking at being eliminated square in the eye. Last year we managed to pass a 1-year extension of county payments, but that is due to expire at the end of this month. So I cannot stress enough the urgency of today's vote.

Critical funding for schools and county services across the country will evaporate if we do not act today. Indeed, the National Forest Counties and Schools Coalition estimates that about 7,000 teachers and other educational staff will be laid off as of June 30th when their contracts expire if this body does not act. That is something worth thinking about. Students in rural forest counties across this Nation will be deprived of almost 7,000 teachers and the other educational staff.

Now, some have taken issue with the pay-for, the offset being used for this bill, which is a conservation of resources fee on a class of Federal oil and gas leases in the Gulf of Mexico that

are unduly enjoying royalty relief by virtue of not having price thresholds.

This is not a new proposal. This body has considered it before, and rightly so. My colleagues, to date the American people have been deprived of over \$1 billion in Federal royalties as a result of this situation. That is over 1 billion with a "B" dollars, something worth thinking about.

We now learn that in the future if this situation is not corrected, the American people will be fleeced to the tune of \$4 billion and to a high of \$14 billion.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has expired.

Mr. DEFAZIO. I yield the gentleman an additional 15 seconds.

Mr. RAHALL. That figure could go as high as \$14 billion, depending on the price of oil and natural gas and the amount produced from these leases.

So it is very important that we recognize this bill does have funding sources and that is what we are trying to do here, at the same time generating funds to pay for teachers and the education of our school children.

Mr. BISHOP of Utah. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, one of the reasons this Congress has the lowest approval ratings in poll history is it keeps playing political games instead of solving real problems like energy prices or supporting our troops in Iraq.

Today we are doing the same, playing games with our rural schools, with our rural counties, with our rural firefighters and police forces. Unfortunately, this bill is deadlier than a door-nail, only because some political genius decided they would like to pit those of us who support rural schools against our energy companies. Well, guess what? Everyone loses, especially our rural communities who fought for this. This bill is a shame.

Mr. DEFAZIO. Mr. Speaker, the gentleman is correct. It's teachers or cops or Big Oil.

With that, I would yield 1½ minutes to the gentlewoman from South Dakota (Ms. HERSETH SANDLIN).

Ms. HERSETH SANDLIN. I thank the gentleman for yielding.

I rise today in support of H.R. 3058, the Public Land Communities Transition Assistance Act, and I too thank the gentleman from Oregon, Mr. DEFAZIO, for his tireless efforts to reauthorize the Secure Rural Schools program. I also thank the House Committee on Natural Resources and the House leadership for their work on this legislation.

H.R. 3058 would reauthorize the secure rural schools program for 4 years. Annual payments to counties impacted by National Forest lands are an important part of many school districts' budgets, and failure to reauthorize the Secure Rural schools would force very difficult decisions in counties and school districts in over 40 States.

In the State of South Dakota, the Black Hills National Forest is a special place and a highly valued resource. Yet the national ownership of this land has clear impacts on finances of counties in western South Dakota. For example, under the Secure Rural Schools program, Custer County schools receive approximately \$310,000 for the 2007–2008 school year. If this program isn't reauthorized, Custer schools would receive about \$90,000. The loss of \$210,000 would likely lead to eliminating numerous teaching positions and increasing class sizes to as many as 40 students per class.

Custer County isn't alone. If we fail to reauthorize the secure rural schools program, almost 7,000 teachers and other educational staff will be laid off across the country as of June 30, 2008, when their contracts expire. H.R. 3058 provides a new distribution formula and transition payments as counties adjust.

The SPEAKER pro tempore. The time of the gentlewoman from South Dakota has expired.

Mr. DEFAZIO. I yield the gentleman an additional 15 seconds.

Ms. HERSETH SANDLIN. On the offset, by my count, 48 of my Republican colleagues have in the past voted for legislation that included this offset. That was all in 2007, before oil went over \$100 a barrel. So I would think that even those of us that do support expanded exploration and drilling for energy sources on public lands would agree that it should be equitable and Federal royalty payments should be paid when we are extracting oil resources from public lands.

I encourage my colleagues to support this fair, bipartisan bill.

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

Mr. DEFAZIO. Mr. Speaker, I would inquire as to the time.

The SPEAKER pro tempore. The gentleman from Oregon has 4 minutes remaining. The gentleman from Utah has 5½ minutes remaining.

Mr. DEFAZIO. I suggest the gentleman use some of his time, because I only have one more speaker and then I will be closing.

Mr. BISHOP of Utah. Mr. Speaker, I will be happy to yield 5 minutes to the gentleman from Oregon (Mr. WALDEN) who has worked tirelessly on this issue in a bipartisan way in the past.

Mr. WALDEN of Oregon. Mr. Speaker, it is unfortunate that we have arrived here today like an out-of-control car skidding to a stop. Let's not forget why we are here. We are here because of a changed Federal timber policy that has bankrupted the people that live in my district and many of yours, and as a result we now have fires at costs that are unbelievable. They are historic. We are burning more acres of our Federal forests than at any time in our Nation's history, and we are paying more for it. Forty-seven percent of the Federal budget for the Forest Service now goes to put out fires.

Yet we have shut down the Federal forests from active management. That is why we are here today, because the revenues that used to flow to our communities to pay for basic services, to be the good partner that Teddy Roosevelt envisioned the great forest reserves more than 100 years ago, to be a partnership with the local community, that partnership, that bond, that pledge has been broken. People are put out of work. Services are lost.

The tragedy that brings us here today is another broken promise, and that is when this bill was considered by the House Natural Resources Committee there was a consistent and common pledge that this bill would be brought to the floor with a different offset.

I have a quote here from the spokesperson from the committee that makes that very clear. It says very clearly, it is definitely our intention for the money not to come from increased fees on oil and gas companies.

It is definitely not our intention for the money to come from increased fees on oil and gas companies. That is what the committee said. I just couldn't read it. It is too far in front of me. I apologize.

That clearly is not the case. It is clearly not the case. So we have before us a bill with a broken promise, first of all, and it didn't have to be that way.

Yes, I have come to this floor repeatedly and called for this bill to come to this floor for consideration. I don't know why it was held hostage for 130 or so days. But I came here calling for this bill to come to the floor with the clear understanding, the promise and pledge of that committee that it would come here with a different offset, one that was palatable. That promise and pledge was broken.

Meanwhile, I know the Speaker was out in Oregon a while back and said where we go from here is we ought to phase out that system. That doesn't sound like the Speaker is very supportive to me.

So what we have here today is an offset of questionable legality. And I say that not because I am a lawyer, I am not, but because of court cases that have occurred that said when it comes to levying a fee on conservation of resources on the Outer Continental Shelf, that leases that exist today prohibit the application of future laws and regulations except future regulations related to conservation of the resources of the Outer Continental Shelf.

What does that mean in real people talk? It means if you are going to levy the fee that you plan to levy, you have to spend it in a legal way, which is on conservation efforts on the Outer Continental Shelf, or else the courts will say you are not following the decisions we already gave you, *Mobil v. U.S.*, among others. So this is of questionable legal status.

So, I asked my colleague from Oregon, we talked, we have worked really closely on this issue over the years in

a bipartisan manner, and I said I think we are going to have a lot of problems on our side with this and I don't think it is legal. And indeed that is where we are today.

So we have exchanged letters. My colleague wrote me on May 30. Mr. DEFAZIO said if you have other suggestions for offsets that won't raise the ire of oil patch or mineral-dependent Members, I would welcome the input. So we talked on Monday and I said give me a day. This is rushed on the suspension of the rules. Give me a day to come up with an alternative, and we did.

We spent all day yesterday with the Congressional Budget Office, technical experts, legal experts, and we came up with a proposal that legally funds county payments, legally and fully funds PILT, legally and fully accesses energy resources on the Outer Continental Shelf. It is very similar to a proposal that my colleague from the Fourth District voted for that was passed by this house less than 2 years ago that would generate revenue legally. By the way, for those 98-99 leases, we do levy a fee so that they do pay, but we do it in a constitutional legal way so it is applied for conservation, coastal line improvements.

□ 1445

So we get at the 98-99 lease issue in a legal way under this proposal. The Coalition of County Roads and Schools, we presented this to them yesterday afternoon, they embraced it wholeheartedly. But it was rejected.

Under suspension of the rules, I am not allowed to offer it as an alternative. If this bill goes down today on a vote on the suspension calendar, it can be brought up. The placeholder that this represents is a seat on a bus going into a cliff. It is going off the cliff and into a chasm. Fortunately, there is a cable attached to that bus. If this goes down today, counties aren't lost. They can come back, bring it up under a rule and we can have a real and substantive debate about a way to fully fund it.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 30, 2008.

Hon. GREG WALDEN,
Longworth House Office Building,
Washington, DC.

DEAR GREG: As you know, I worked with the administration to come up with several other potential offsets to pay for a multi-year extension of the county payments program. Unfortunately, those offsets were strongly objected to on a bi-partisan basis. If you have other suggestions for offsets that won't raise the ire of oil patch or mineral-dependent members, I would welcome the input.

I look forward to talking to you this afternoon or on Monday.

Sincerely,

PETER A. DEFAZIO,
Member of Congress.

Mr. DEFAZIO. Just in response, the gentleman asked three times to bring this bill to the floor with these offsets, and the gentleman from Utah actually said in committee: I am specifically

looking at offshore drilling fees, which is a concept of a new fee that is there. I am more than happy to go in that direction.

But today they're not.

I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy as I appreciate his leadership and tireless effort to help keep this alive.

I understand the frustration of my friend from Oregon that just spoke. He should be frustrated, because his Republican Party was in total control for 6 years with the Presidency, with both Houses of Congress, and there is a situation that he doesn't like. I understand it. I understand his frustration. If I were in his position, I would be, too. It was the Republican Congress that did not extend this program and allowed it to expire.

There is a simple choice before us today where we have an opportunity to deal with the needs of hundreds of thousands of rural Americans, not just in Oregon, but from 40 States around the country, or the interests of a few oil companies who are making money hand over fist, and they are making some money that they shouldn't because they are not paying what they should under the leases.

We have already dealt with this canard that somehow the answer is to give the oil industry access to more land to drill. Oil companies have been granted 42 million acres of which they are only using 12 million currently, so they have 30 million acres of area that they could potentially drill and they are not drilling now. Somehow we should come up with something more to give to them, allow them to have more money, ignores the issue here today.

I would suggest that we ought to respect the work of Mr. DEFAZIO in bringing this forward. Frankly, I was frustrated at the negative comment about Speaker PELOSI who said that, instead of pushing these people off a cliff, that she would work to cushion the blow, to help phase it down. She was trying to help instead of cutting them off. She has been helpful in moving this forward, and taking a shot at the Speaker is unfair and if you are trying to solve the problem, it is unwise.

It is the Republicans for 6 years that had the control, who didn't exercise it. This is a constructive alternative. I suggest that we recognize the need of these hundreds of thousands of Americans, not a few oil companies.

Mr. BISHOP of Utah. Mr. Speaker, I yield to myself the balance of our time.

I appreciate Chairman RAHALL from the committee coming down here earlier to speak on the bill. When this bill was under his control, he treated us with kindness and consideration.

In the tornado of words that we have heard here today, there is one thought that still comes through: We need a permanent solution. This bill is half a

bill without a permanent solution and without an offset that is legitimate. The counties, the education community, and the energy companies presented a real solution that would really pay, not a phony placeholder, but real money that would pay for full tilt, full secure rural schools, a real solution to real problems. This bill is the wrong bill, the wrong process, at the wrong time, and should be defeated.

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of our time.

This is a difficult choice. It is always difficult to choose between your constituents and your patrons. The patrons heavily to that side of that aisle have been Big Oil. This would hurt Big Oil. They would actually have to pay a fee for leases that were written improperly where they don't pay any royalties to the American taxpayers at a time of record prices. That hurts.

Yes, it is true. So far, a bare minority of Senators have rejected it, previously. Maybe they won't this time. Maybe with oil at \$125 a barrel they will go along with it and say we can get some good out of this for a change. We can help kids get an education. We can keep teachers employed. We can provide money to police our counties and to keep people in jail who need to be there, and for other public services and public works. We can do those things. But we have got to have some guts. Every once in a while you have got to stand up.

We hear all this stuff, all we need is more leases. Their staff boycotted a meeting last week. They sprung a proposal last night, which is a Republican bill, not a single Democrat on it, and would open up offshore oil drilling, which is not acceptable to the Republican Governor of California, to the Republican Governor of Florida, and many others. It is a nonstarter. Come on, guys, let's get real. This is your choice. This is it.

There are 6,312 nonproducing leases on the OCS. This bill would make those companies begin to produce, or pay a fee for not producing. If you want to help provide more supply, which is what a lot of the debate has been about today, let's impose a fee on those 6,312 wells. And, in the meantime, let's get some good of that money for the American people. Help 7,000 teachers, help the kids in rural schools, help our deputy sheriffs, help our people who do corrections, help the people who have a backlog of road and bridge projects all across rural America. Help 42 States. Help 600 counties.

This is your only vote. This is your time. Sometimes you have to make tough choices. I urge an "aye" vote on this bill.

Mr. BARTON of Texas. Mr. Speaker, the bill before us today, H.R. 3058, represents a thinly veiled attempt to create a partisan fight over a nonpartisan issue. For several years now, Members from both sides of the aisle have struggled to find a way to pay for the reauthorization of the Secure Rural Schools program.

We have found such a compromise in Congressman Walden's substitute to H.R. 3058. But that is not what we are voting on today.

The Walden compromise that has been approved by the stakeholder organizations contains reauthorization of both Payments in Lieu of Taxes and the Secure Rural Schools program which are so vital for people whose counties are majority owned by the Federal Government, and thus don't have the property tax base to support education. But that is not the bill we are voting on today.

The proposed Walden compromise addresses our growing energy crisis by expanding state control and protection of the outer continental shelf, and by producing new energy in the deep ocean. It provides funding for front-end engineering and design grants for coal-to-liquids, oil shale, tar sands, carbon sequestration, and enhanced oil recovery.

Congressman WALDEN'S compromise proposal contains provisions that have been previously debated on this floor, passed by this body, and approved by the administration. But that is not the bill we are voting on today.

The bill we are voting on today breaks contracts that were negotiated in good faith between the previous administration and American energy providers. The bill we are voting on today has prompted a veto threat, and will probably not even make it through the House today. If the majority wants to make this a partisan vote, so be it. That is their prerogative. But let me make one thing clear; the superintendents of Groveton, Crockett, Latexo, Grapeland, Lovelady, and Kennard Independent School Districts do not care about partisanship. The reality of what we are doing today is that these, and thousands of other school administrators, are going to have to cut jobs and programs as they see their revenues shrink drastically. All for the sake of making a political statement.

When Congress decided to take land out of the tax base of thousands of rural counties in order to create our National Forest System, we made a promise to help cover the cost of education. We have a chance to fulfill this promise by taking up the Walden compromise for Secure Rural Schools and PILT reauthorization. I urge my colleagues to vote no on the political stab before us today, and I urge majority to bring to the floor Congressman WALDEN'S proposal as soon as possible. Our rural communities depend on it.

Mr. RUSH. Mr. Speaker, I rise today in strong support for H.R. 3058, the Public Lands Communities Transition Act. This legislation will provide crucial funding to school districts located in Federal forest counties. Without these funds, these school districts will have to make large cuts to their educational services and programs.

It is imperative to address the fact that these counties have little to no local tax base to levy for their school districts. Therefore, any assistance from the Federal Government is essential.

Mr. Speaker, with the passage of this bill, we will ensure that the education of our children will not fall victim to devastating cuts in these areas. Adequate education should be provided to all of our children, regardless of where they live. I urge all of my colleagues to join me in supporting this bill with bipartisan support.

Mr. DEFAZIO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 3058, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3021, 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1234 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1234

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill

for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3021 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 1 hour.

Ms. SUTTON. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 1234.

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

There was no objection.

Ms. SUTTON. Mr. Speaker, H. Res. 1234 provides for consideration of H.R. 3021, the 21st Century Green High-Performing Public Facilities Act, under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Education and Labor. The rule makes in order eight amendments which are printed in the Rules Committee report. The rule also provides one motion to recommit, with or without instructions.

Mr. Speaker, I am proud to rise today in strong support of H.R. 3021, the 21st Century Green High-Performing Public Schools Facilities Act. This legislation is important and groundbreaking because it simultaneously addresses important issues confronting our Nation in the 21st century, improving our education system, modernizing our buildings and infrastructures to be environmentally sustainable, and creating jobs to grow our economy.

Mr. Speaker, our Nation's school districts are struggling to make essential improvements during these lean economic times. According to recent estimates, America's schools are hundreds of billions of dollars short of the funding needed to ensure that every student attends a high quality facility. Too many parents across this country are forced to drop off their children at schools that are falling apart, schools with leaking roofs and faulty electrical systems, schools with outdated technology which compromises their ability to achieve and succeed.

Our bill provides \$33.2 billion over 5 years for schools across the country for projects to modernize, renovate, and repair their facilities. This funding is crucial to improve our schools so that