

get the leaders of the Continental Congress to do it, which was to declare independence.

Today, with gasoline at over \$4 a gallon, \$1.75 higher than when we started this Congress, and still no comprehensive energy plan, I as well as the American people seem of reek of discontent, because we know what the right thing to do is, but we can't get the leaders of Congress to do it, in this case to declare energy independence.

I specifically take umbrage at the fact that last week I had to fly for 4 hours to come back here to vote on telling people how to spend their stimulus paycheck and saying that Congress approved of D-day and ending the Revolutionary War, but still no effort to try and solve our energy problem.

We need a comprehensive bill that will increase our conservation, increase our production and increase our ability to innovate how we deliver energy to the American people, and we need it now. Otherwise, we will continue to reek of this discontent.

□ 1415

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 16, 2008.

Hon. NANCY PELOSI,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 16, 2008, at 10:25 a.m.:

That the Senate agreed to without amendment H. Con. Res. 325.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### EXPRESSING CONCERN ABOUT THE AIR FORCE TANKER CONTRACT AWARD

(Ms. DeLAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DeLAURO. Mr. Speaker, this week the GAO will rule on the Boeing protest of the Air Force acquisition process for the \$35 billion award to replace the KC-135 air refueling tankers that went to Northrop and a European consortium team in February.

The Department of Labor's employment report for May showed a loss of 49,000 jobs and an unemployment rate that increased to 5.5 percent—the biggest monthly rise since 1986. Yet this contract will not only continue but accelerate the erosion of our industrial base and skilled workforce. According to an Economic Policy Institute anal-

ysis released earlier this month, this decision will ground at least 14,000 U.S. jobs. Roughly half the parts and labor that go into making Airbus tankers will come from overseas.

Producing the Airbus KC-45 tanker would support about 14,350 U.S. jobs per year, while Boeing's proposed tanker would support at least twice as many jobs—including those for high-skilled workers manufacturing engines in Middletown, Connecticut. Our economy has lost nearly 325,000 jobs since the beginning of the year. We should not be sending more jobs overseas, outsourcing our technological base. We should be creating jobs at home, supporting local innovation, and investing in our economy.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### CAPTIVE PRIMATE SAFETY ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2964) to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2964

*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 "Captive Primate Safety Act".*

#### SEC. 2. ADDITION OF NONHUMAN PRIMATES TO DEFINITION OF PROHIBITED WILDLIFE SPECIES.

*Section 2(g) of the Lacey Act Amendments of 1981 (16 U.S.C. 3371(g)) is amended by inserting before the period at the end "or any nonhuman primate".*

#### SEC. 3. CAPTIVE WILDLIFE AMENDMENTS.

(a) *PROHIBITED ACTS.*—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting "or" after the semicolon;

(ii) in subparagraph (B)(iii), by striking "; or" and inserting a semicolon; and

(iii) by striking subparagraph (C); and

(B) in paragraph (4), by inserting "or subsection (e)" before the period; and

(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively;

(B) by striking "(e)" and all that follows through "Subsection (a)(2)(C) does not apply" in paragraph (1) and inserting the following:

"(e) CAPTIVE WILDLIFE OFFENSE.—

"(1) IN GENERAL.—It is unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species.

"(2) LIMITATION ON APPLICATION.—This subsection—

"(A) does not apply to a person transporting a nonhuman primate to or from a veterinarian who is licensed to practice veterinary medicine within the United States, solely for the purpose of providing veterinary care to the nonhuman primate, if—

"(i) the person transporting the nonhuman primate carries written documentation issued by the veterinarian, including the appointment date and location;

"(ii) the nonhuman primate is transported in a secure enclosure appropriate for that species of primate;

"(iii) the nonhuman primate has no contact with any other animals or members of the public, other than the veterinarian and other authorized medical personnel providing veterinary care; and

"(iv) such transportation and provision of veterinary care is in accordance with all otherwise applicable State and local laws, regulations, permits, and health certificates;

"(B) does not apply to a person transporting a nonhuman primate to a legally designated caregiver for the nonhuman primate as a result of the death of the preceding owner of the nonhuman primate, if—

"(i) the person transporting the nonhuman primate is carrying legal documentation to support the need for transporting the nonhuman primate to the legally designated caregiver;

"(ii) the nonhuman primate is transported in a secure enclosure appropriate for the species;

"(iii) the nonhuman primate has no contact with any other animals or members of the public while being transported to the legally designated caregiver; and

"(iv) all applicable State and local restrictions on such transport, and all applicable State and local requirements for permits or health certificates, are complied with; and

"(C) does not apply";

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by striking "a" before "prohibited" and inserting "any";

(ii) by striking "(3)" and inserting "(4)"; and

(iii) by striking "(2)" and inserting "(3)";

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—

(I) in clauses (ii) and (iii), by striking "animals listed in section 2(g)" each place it appears and inserting "prohibited wildlife species"; and

(II) in clause (iv), by striking "animals" and inserting "prohibited wildlife species"; and

(ii) in subparagraph (D), by striking "animal" each place it appears and inserting "prohibited wildlife species";

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking "(2)" and inserting "(3)";

(F) in paragraph (6) (as redesignated by subparagraph (A)), by striking "subsection (a)(2)(C)" and inserting "this subsection"; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

"(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection."

(b) *CIVIL PENALTIES.*—Section 4(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(a)) is amended—

(1) in paragraph (1), by inserting "(e)," after "subsections (b), (d),"; and

(2) in paragraph (1), by inserting ", (e)," after "subsection (d)".

(c) *CRIMINAL PENALTIES.*—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by inserting “(e),” after “subsections (b), (d),” each place it appears; and

(2) in paragraph (3), by inserting “, (e),” after “subsection (d)”.

#### SEC. 4. APPLICABILITY PROVISION AMENDMENT.

Section 3 of the *Captive Wildlife Safety Act* (117 Stat. 2871; Public Law 108–191) is amended—

(1) in subsection (a), by striking “(a) IN GENERAL.—Section 3” and inserting “Section 3”; and

(2) by striking subsection (b).

#### SEC. 5. REGULATIONS.

Section 7(a) of the *Lacey Act Amendments of 1981* (16 U.S.C. 3376(a)) is amended by adding at the end the following new paragraph:

“(3) The Secretary shall, in consultation with other relevant Federal and State agencies, issue regulations to implement section 3(e).”.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL LAW ENFORCEMENT PERSONNEL.

In addition to such other amounts as are authorized to carry out the *Lacey Act Amendments of 1981* (16 U.S.C. 3371 et seq.), there is authorized to be appropriated to the Secretary of the Interior \$5,000,000 for fiscal year 2009 to hire additional law enforcement personnel of the United States Fish and Wildlife Service to enforce that Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 2964, the *Captive Primate Safety Act*, was introduced by our colleague from Texas, Congresswoman EDDIE BERNICE JOHNSON. This bill amends the *Lacey Act Amendments of 1981* to prohibit the import, export, transportation, sale, receipt, acquisition, or purchase in interstate or foreign commerce of nonhuman primates.

Although the importation of nonhuman primates into the United States for the pet trade has been banned by Federal regulation since 1975 due to health concerns, these animals are readily available for purchase on the Internet and from exotic animal dealers. While some States already prohibit the possession of these animals as pets, there remains an active trade in these animals.

Nonhuman primates may pose serious risks to public health and safety. They can transmit diseases and inflict serious physical harm. In addition, most people cannot provide the special care, housing, diet and enrichment that these animals require. Interstate transport increases these risks to both humans and primates. Conversely, de-

creasing commerce in nonhuman primates, as H.R. 2964 would do, limits interactions and diminishes risks.

Mr. Speaker, I understand that late last week there were some concerns raised about the effect of the bill on nonhuman primates that serve as assistance animals for individuals with spinal cord injuries. We have committed to work to carefully address that very narrow issue in a way that does not create unintended loopholes in the prohibitions established by the bill.

With that, Mr. Speaker, I ask Members on both sides to support passage of this noncontroversial bill.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I wish to yield myself such time as I may consume and I would like to raise a few issues that give me pause.

As a matter of full disclosure, neither I nor any member of my family own a pet capuchin, a howler or a spider monkey. However, I admit that I'm not particularly fond of those annoying rally monkeys that seem to show up during the American League baseball playoffs.

This legislation would amend the *Lacey Act* to make it a Federal crime to import, export, transport, sell, receive, acquire or purchase a nonhuman primate pet in either interstate or foreign commerce. This measure contains the distressing trend of federalizing yet another issue that clearly falls under the jurisdiction of State fish and wildlife agencies. In fact, more than 40 States already either prohibit the ownership of monkeys or require a license or permit to own them.

It also begs the question of why is there an overriding need for this legislation? According to the proponents, nonhuman primates attack people and spread deadly diseases. Yet there have only been 132 documented incidents over a 10-year period where nonhuman primates have injured a human primate. Of these incidents, 80 involved primate pets, not covered by this bill, or less than eight attacks per year. By contrast, man's best friend sends more than 100,000 people to the hospital each year, not to mention the numerous romps in the yard ruined by the discovery of a substance left by the neighbor's schizophrenic canine friend.

Furthermore, we heard testimony before our committee that there is no documentation of pet primates being a threat to public safety. In fact, there have been no instances where a captive nonhuman primate pet has caused a disease transmission or human death. While I am not a betting man, the chances of being bitten by a pet nonhuman primate in this country appears to be about one in 38 million.

Since this is hardly a public safety issue, I wish to address this body—or direct this body if there are any Members of the body actually here—to the cost of this legislation. According to the Congressional Budget Office, it will cost \$4 million a year for the U.S. Fish and Wildlife Service, who opposed this

bill, to hire additional staff to conduct inspections and investigations to enforce this act. On a per incident basis, this represents about a half million dollars in U.S. public taxpayer money per bite. At that rate, I hope I can apply for the job.

At a time when our national debt is approaching a staggering \$9 trillion, certainly it is legitimate to ask whether this is a wise use of taxpayer money, especially in light of the fact that the States have been and are quite capable of regulating the nonhuman primate pet trade now and in the future. Maybe we should actually spend more of our time with the human primates' energy issues instead of the nonhuman primate pet trade nonissue.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I have no additional requests for time and would inquire of the minority whether they have any additional speakers.

Mr. BISHOP of Utah. I do have a few other speakers.

Ms. BORDALLO. In that case, then, Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. I will yield as much time as the lady wishes to consume to the gentlelady from the State of North Carolina.

Ms. FOXX. I want to thank my colleague from Utah for yielding.

I agree with my colleague from Utah that we ought to be dealing with things that are important to the American people, and it seems to me that this bill is not something that is high on the agenda of most Americans. What is high on the agenda of most Americans is the cost of gas and oil in this country. The Democratic leadership simply is refusing to deal with it and deal with it in a realistic manner.

I think it's very important that we point out the history of our having dealt with these issues over the years and what Republicans have tried to do. Let me talk about the issues of supply and demand. We have tried and tried to increase the supply of fuel oil and gasoline in this country for many years. Let me tell you how we have voted on this issue:

On ANWR exploration, House Republicans, 91 percent of us, have supported that. Eighty-six percent of House Democrats have opposed it. Consistently Democrats have voted against creating more supply by drilling in ANWR, a place about the size of a postage stamp on a football field as the size of ANWR is to the State of Alaska.

How about coal-to-liquid. There are many ways that we can help our energy situation in this country. The Democrats say we can't drill our way out of it. Well, there are lots of ways that we could get the resources we need. We have supported the issue of turning coal into liquid fuel for a long, long time. Ninety-seven percent of Republicans have supported it. Seventy-eight percent of Democrats have opposed it.

How about exploring oil shale. Ninety percent of Republicans have supported that issue. Eighty-six percent of

Democrats have opposed it. It is no wonder that we are having problems with supply of energy resources in this country when we have had almost all Democrats opposing it over the years.

How about drilling on the Outer Continental Shelf. Eighty-one percent of House Republicans have supported it. Eighty-three percent of House Democrats have opposed it.

How about increasing refinery capacity in this country, which is an issue in terms of providing the supply we need. Ninety-seven percent of House Republicans have supported increasing refinery capacity. Ninety-six percent of House Democrats have opposed it.

Just so people know, we have validated these statistics by going back and counting the actual votes on these issues over the years.

So here is the summary: Ninety-one percent on average of House Republicans have historically voted to increase the production of American-made oil and gas. We do have the capability in this country to become energy independent. But 86 percent of House Democrats have historically voted against increasing the production of American-made oil and gas. They obviously want us to remain dependent on foreign oil. It is something I simply cannot understand. They seem to want the American people to suffer. They and their radical environmentalist friends don't want us to do anything to increase the supply of oil and gas. Republicans do want to increase the supply of oil and gas, and the facts prove it out.

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

Mr. BISHOP of Utah. I yield such time as he may consume to the gentleman from Georgia.

Mr. WESTMORELAND. I thank my friend for yielding.

I found some of the facts today pretty interesting about this monkey bill, this monkey business, Mr. Speaker. I've only been in Congress 4 years, I was in the State legislature 12 years, and I've never had a call about a monkey bite or monkey bites being rampant in my district. I'm sure that it's important. As my friend from Utah stated, don't be real alarmed that your Congress has brought this front and center, the first bill on the floor today in the House of Representatives. You can take comfort, because only one in 38 million, that's your chances of getting bit by a monkey today.

□ 1430

Now your chances are pretty good if you are driving a gasoline-powered car, when you pull into the service station, you are going to pay about \$4.08 for gas. Now that's for sure. We need to be concentrating on that pain that you're feeling, not the pain of a monkey bite, but the pain at the gas pump that you're feeling.

And, you know, we're going to spend, as my friend from Utah said, a half million dollars per monkey bite in this

country. Those are expensive monkey bites. Not only are they rare, and that may be the reason they're so expensive is they are so rare; but we could be spending that money towards drilling, towards exploring our own natural resources.

That's the reason I came up with a petition. I heard about all of these petitions on the Internet about where American citizens could go and sign a petition to let Congress know how they felt about high energy prices. And I thought, you know, why don't you come up with a petition that the Members of Congress can sign to let the people of America know how their Representative feels about the commonsense issue of providing our own resources.

So we came up with the American Energy Solutions for Lower Gas Prices, bring onshore oil online, bring deep water oil online, and bring new refineries online. And just to make it special, I made every Member of Congress a separate line on the petition. And what the petition says is: I will vote to increase U.S. oil production to lower gas prices for Americans. And there are two pens on it. So I am going to invite everyone to sign it.

Mr. Speaker, today when we vote on the monkey bite bill, there will probably be a little over 400 Members, probably around 410 or 412, that will vote on the monkey bite, and I would hope that we would have that many signatures on this petition. There are 435 slots over here for people who have the ability and under the Constitution to vote on this floor, have an opportunity to sign that petition to let their constituents know that they are for commonsense energy practices.

You know, the keyword today, Mr. Speaker, in all of the campaigns you hear about is change. I think Americans do want change. I think our voters do want change. I don't know if it is the radical, rock-your-world, turn-everything-upside-down change that some of the candidates are talking about, but I think it is this kind of change, I think it is a change for honesty. I think the American people want to know where their Member or their elected official stands on the issues. And we make them so complicated that every Member of this body can go home and give a good reason why they voted for or against something. This simplifies it so the American people can see the honesty in their Member that says yes, I will vote to increase U.S. oil production to lower gas prices for Americans. That's simple.

The other thing they want is common sense. They want common sense. Common sense, Mr. Speaker, is to use our own natural resources rather than going into other countries in the world hat in hand begging for their natural resources. That's not common sense. It is not common sense to be in this body passing a law today about monkey bites when you have a 1 in 38 million chance of getting bit. Or that it is

going to cost a half a million dollars per bite, that's not the kind of common sense, that's not the kind of change that American people are looking at.

What they're looking at is the commonsense change of us getting out of fetal position in this body, Mr. Speaker, and doing something to lower the price, to lower the pain for them at the gas pump, not reduce the pain from monkey bites.

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

Yes, Mr. Speaker, people indeed are being bit by monkeys, and they are also being bit at the gas pumps. I would just like to note a few statistics regarding monkey risks to the public.

In June of 2008 in New York, a 22-month-old girl playing in her backyard put her fingers through a fence into a neighbor's yard and was bitten by their pet monkey. Doctors spent 12 hours trying to reattach her finger.

In March 2008 in Indiana, a child visiting a home was bitten by a pet capuchin monkey.

In February 2008 in Arizona, a 3-year-old boy was bitten by a pet lemur his family just got 2 weeks before.

In February 2008 in Washington, a pet monkey escaped from a home and bit three people.

In December 2007 in North Carolina, a clerk at a convenience store was bitten by a customer's pet monkey.

In September 2007 in Missouri, two children were bitten by a pet monkey at a park. The woman who owned the monkey ran off with the animal.

In August 2007 in Wisconsin, a woman was bitten by a pet monkey a man had on a leash.

In April 2007 in Mississippi, a Federal agent approached a home and was attacked by a monkey.

Mr. Speaker, from January 2007 right here on my list until March 2005, there are nine other listed cases. So yes, people are being bitten by monkeys.

And this is how they are getting bitten at the pumps. Currently oil and gas companies hold leases on nearly 68 million acres of Federal land both on shore and under OCS waters that they are not, I say that they are not developing. That is roughly the size of the State of Colorado. That 68 million acres of leased but stockpiled, inactive Federal oil and gas lands could produce an additional 4.8 million barrels of oil and 44.7 billion cubic feet of natural gas every day. I would point out that would nearly double total U.S. oil production and increase natural gas production by 75 percent.

Let me reiterate that if drilling took place on the 68 million acres of Federal lands currently under lease to oil and gas companies, an area the size of Colorado, we would nearly double total domestic oil production. It would also cut U.S. oil imports by one-third and it would be more than six times the estimated peak production from the Arctic National Wildlife Refuge. So that is where the problem lies, the industry is simply not using what it already has.

And one must wonder, is this done on purpose? Is it being done to keep supply off the market in order to keep record-level prices and world-record profits?

Let me remind my colleagues that the number of Federal onshore drilling permits has exploded in recent years. Between 1999 and 2007, the Interior Department increased the number of those permits it issued by 361 percent. I would also note that of all the oil and gas believed to exist on the Outer Continental Shelf, 82 percent of the natural gas and 79 percent of the oil is located in areas that are currently open to leasing.

So the gentleman is correct, we have a problem here; but the solution is to prompt the holders of these valuable energy leases to develop them. The chairman of the Natural Resources Committee, Mr. NICK RAHALL, has put forth a solution, drill it or lose it.

The Responsible Federal Oil and Gas Lease Act of 2008 would compel oil and gas companies to either produce or give up Federal onshore and OCS leases that they are stockpiling by barring the companies from obtaining any more leases unless they can demonstrate that they are producing oil and gas or are diligently developing the leases they already hold during the initial term of the leases.

Companies could avoid this new lease prohibition by relinquishing their non-producing leases, creating an opportunity for another company to explore for and perhaps produce oil or gas from them. Under the bill, the terms of leases which are in production or which can demonstrate diligent development are extended. Companies which lease Federal coal resources are by law required to diligently develop these leases. This requirement has discouraged the rampant speculation that once existed in the Federal coal leasing program, the same type of speculation that now appears to be plaguing the Federal oil and gas leasing program.

So I say, let's set the Big Oil monkey off the people's backs; drill it or lose it.

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

Mr. BISHOP of Utah. Mr. Speaker, I wish to yield additional time to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank my friend from Utah.

I want to just address a couple of things that have been brought up; use it or lose it, drill it or lose it. That is already the law. That's already the law.

We have 68 million acres out of 2.5 billion. Now we talked about common sense, at least I talked about common sense, about what we are doing here. And, I'm sorry, I didn't have time to write down all of the dog bites. I noticed we were quoting all of the monkey bites. But what I will tell you as far as common sense goes, if you were an exploration company, if you were an oil company, would you drill where you

knew that there was no oil? I would say no. But evidently the majority, the Democrats, believe that because you have 68 million acres of land, that you need to drill on it. Although 54 percent, 54 percent of the holes that were put in the ground for exploration between 2002 and 2007 were dry. So would you continue drilling on that 68 million acres out of 2.5 billion acres? I don't think so. I think that the American people with common sense would say, you know what, if there isn't oil there, why would you drill?

Do you go to the hardware store to buy groceries? I don't think the average American goes down to the hardware store looking for Quaker oats. He goes to a grocery store.

And so if you are going to be drilling for oil, the commonsense thing is that you would want to drill where oil is at.

We know how many barrels are under ANWR. We know how many barrels of shale, a trillion barrels of shale in the western United States, enough oil in ANWR to last us 50 years at the rate of what Saudi Arabia produces. So there is some common sense, and there is truth that there is 68 million acres leased. But the truth of it is half of the exploratory holes have been dry, so why would you want to continue to drill.

We need to open up new oil reserves and we need to make this to where companies want to go and explore for oil. We need to use our common sense and say we are not going to be dependent any longer on foreign oil in foreign places and foreign resources. Let's use our own resources. We have the technology to do it. We can do it in an environmentally safe way.

But it is time that the majority of this country is quit being held hostage at the gas pump for gas over \$4 a gallon by a small, radical environmental group that is controlling the majority party in this Congress.

Mr. Speaker, I hope that we will bring some energy legislation to this floor rather than the monkey bite bill.

Ms. BORDALLO. Mr. Speaker, the gentleman stated that if you were an oil company, would you drill where there is no oil; of course not. And that is not the situation. The oil companies bid on these Federal leases. They pay for them because they believe there is oil on this acreage. The oil companies are paying rental fees on these leases. Why, because they believe they hold oil. Drill it or lose it.

I do have another comment on the gentleman's comments that he made earlier.

Mr. Speaker, monkeys do pose a disease risk. Some monkeys used as pets often carry the deadly Herpes B virus, and the CDC concludes that makaks are unsuitable as pets because of this health risk.

And the gentleman mentioned dog bites. Of course there are more dog bites, Mr. Speaker, there are 75 million dogs in the United States, but only 10,000 to 15,000 monkeys.

□ 1445

But every monkey bite causes unnecessary disease risk to those who are bitten.

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

Mr. BISHOP of Utah. I think I am ready to finish out here.

One of the problems that we have had over the past is an effort, as we try to look at energy independence, is to find some kind of scapegoat, someone whom to blame, usually a corporation. The reality is that is not what we should be doing. What we should be doing is finding commonsense solutions to the problem.

Oil companies already are putting billions of dollars into research, but for every one of those holes that are drilled, there is always a delaying concept that sometimes will last between 7 and 10 years for environmental engineering studies, permitting, and then even comes the litigation and the regulation on top of that.

The bottom line is still, on our offshore coast, 85 percent and onshore 67 percent of all our land is permanently locked away where there is no way of getting to the resource assets that are there. That's the reality of what's taking place.

May I also address this bill specifically as well. The gentlelady from Guam has given seven examples of situations and problems with nonhuman primates, monkey bites. Unfortunately, every situation that was given was already covered in existing law, and the bill before us would in no way cover any of those situations.

This deals simply with transportation. It doesn't deal with the situations that were brought up. Once again, this bill does not fit the examples that have been brought up as to why the bill should be there.

The bottom line is still the Department of the Interior is opposing this bill because they say it is new enforcement mandates. They're enforcement mandates in areas they have not been historically responsible because their area is in the area of wilderness and wildlife conservation. This does not meet it.

And indeed, the Interior Department once again said that this bill is coverage that is duplicative of existing laws. And that's one of the reasons why we have a problem with this particular bill, in an area to try to expand what we're doing in an area which ought not be expanded because local governments and States have a better way and can easily, easily solve this particular problem without the extra expense to the national taxpayer.

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

Ms. BORDALLO. Mr. Speaker, I find it interesting that a bill that was approved by the Natural Resources Committee by unanimous consent is suddenly objectionable to the minority. But I urge Members to support it.

Mr. SHAYS. Mr. Speaker, as co-chair of the Congressional Friends of Animals Caucus, I

rise in support of H.R. 2964, the Captive Primate Safety Act, which prohibits the sale of nonhuman primates such as chimpanzees, monkeys, and lemurs.

I am concerned about both the public health and animal welfare implications of nonhuman primate ownership, which this legislation addresses. For example, nonhuman primates can spread disease and inflict serious injury on their owners. They require a special diet and large habitats, two things most pet owners are unable to provide, particularly as these animals grow in size and strength.

Federal health regulations currently prohibit importing primates into the U.S. as pets, and many States prohibit pet ownership of primates as well. In spite of this, an estimated 15,000 primates are owned by private individuals, and are available for purchase around the country.

The bottom line is, the average pet owner does not have the ability to properly care for these animals and, because of this, both they and their pets are at risk.

It is appropriate we protect nonhuman primates, man's closest animal relative, by prohibiting pet ownership of this kind. I strongly support adoption of H.R. 2964.

Ms. BORDALLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2964, 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. WESTMORELAND. 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.

#### MONTANA CEMETERY ACT OF 2008

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3702) to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3702

*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 "Montana Cemetery Act of 2008".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term "County" means Jefferson County, Montana.

(2) MAP.—The term "map" means the map that is—

(A) entitled "Elkhorn Cemetery";

(B) dated May 9, 2005; and

(C) on file in the office of the Beaverhead-Deerlodge National Forest Supervisor.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

#### SEC. 3. CONVEYANCE TO JEFFERSON COUNTY, MONTANA.

(a) CONVEYANCE.—Not later than 180 days after the date of enactment of this Act and subject to valid existing rights, the Secretary (acting through the Regional Forester, Northern Region, Missoula, Montana) shall convey by quitclaim deed to the County for no consideration, all right, title, and interest of the United States, except as provided in subsection (e), in and to the parcel of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the parcel of approximately 9.67 acres of National Forest System land (including any improvements to the land) in the County that is known as the "Elkhorn Cemetery", as generally depicted on the map.

(c) USE OF LAND.—As a condition of the conveyance under subsection (a), the County shall—

(1) use the land described in subsection (b) as a County cemetery; and

(2) agree to manage the cemetery with due consideration and protection for the historic and cultural values of the cemetery, under such terms and conditions as are agreed to by the Secretary and the County.

(d) EASEMENT.—In conveying the land to the County under subsection (a), the Secretary, in accordance with applicable law, shall grant to the County an easement across certain National Forest System land, as generally depicted on the map, to provide access to the land conveyed under that subsection.

(e) REVERSION.—In the quitclaim deed to the County, the Secretary shall provide that the land conveyed to the County under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the land is—

(1) used for a purpose other than the purposes described in subsection (c)(1); or

(2) managed by the County in a manner that is inconsistent with subsection (c)(2).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

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

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

There was no objection.

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

H.R. 3702 requires the Secretary of Agriculture to convey approximately 9.67 acres of land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, MT for use as a cemetery. The parcel to be conveyed to Jefferson County is currently being used for these same purposes, and is known as "Elkhorn Cemetery." The conveyance will provide land to accommodate all known grave sites and any additional sites that may be outside of the concentration of known graves.

The bill also provides for the continued protection of the historic and cultural values associated with the property.

Mr. Speaker, we have no objections, and it is time to put this bill to rest.

I reserve the balance of my time.

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

The gentlelady from Guam has adequately explained this bill. I'd like to commend congressman DENNY REHBERG and his staff for their diligence in this particular bill; grateful for all for allowing the conveyance of this 10 acres of excess Forest Service land to the community of Jefferson County, MT to be used as their cemetery.

I join the gentlelady from Guam in saying that I am glad that we can finally put this issue to rest in peace.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3702, 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.

Ms. BORDALLO. 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.

#### PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. WESTMORELAND. How did you count? You said a sufficient number having arisen. I only see four Members in here, and I only saw one rise.

The SPEAKER pro tempore. The Chair's count is not subject to appeal.

Mr. WESTMORELAND. Okay. Well, all right. But further parliamentary inquiry. If there's four of us in here, and one stands up, is that, in the Chair's opinion, enough to call for a vote?

The SPEAKER pro tempore. The Chair stated that a sufficient number had arisen and his count is not subject to appeal.

#### MESSAGE FROM THE PRESIDENT

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

#### SUPPORTING THE GOALS AND IDEALS OF AMERICAN EAGLE DAY

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and agree to the