

There was no objection.

Mr. RAHALL. Mr. Chairman, in evaluating this amendment, I would ask that Members first read section 3 of the underlying bill which states, "Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy." So by its own terms, H.R. 1286 will have no impact whatsoever on energy production.

The Pearce amendment would require the Secretary to assess the impact this trail designation will have on energy production. In other words, the Pearce amendment would require the Secretary to study impacts that would never exist. That's similar to a requirement that the secretary study the Tooth Fairy or the Easter Bunny. The bill says there will be no impacts, so studying them is impossible. Such a report would read in its entirety, "We find no impacts on energy production because the bill prohibits them." Period. The end.

It is my hope that this amendment is simply a platform, and I think the sponsor of it has already used it for that to restate some of their talking points on energy production. It's my hope that no one could ever seriously suggest assessing the energy resources that might lie under George Washington's front lawn.

The first part of this amendment is completely unnecessary because the underlying language in the bill makes impacts on energy production a non-issue. The second part of this amendment contemplates oil rigs and wind farms in places that we would never allow them to be built.

So once again, as with the previous amendment, this amendment is not necessary. Therefore, I will not object to it.

I yield back the balance of my time.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 15, as follows:

[Roll No. 482]

AYES—424

Abercrombie	Bean	Boozman	Buyer	Goodlatte	McCollum (MN)	Schmidt	Speier	Walberg
Ackerman	Becerra	Bordallo	Calvert	Gordon	McCotter	Schwartz	Spratt	Walden (OR)
Aderholt	Berkley	Boren	Camp (MI)	Granger	McCrary	Scott (GA)	Stark	Walsh (NY)
Akin	Berman	Boucher	Campbell (CA)	Graves	McDermott	Scott (VA)	Stearns	Walz (MN)
Alexander	Berry	Boustany	Cannon	Green, Al	McGovern	Sensenbrenner	Stupak	Wamp
Allen	Biggert	Boyd (FL)	Cantor	Green, Gene	McHenry	Serrano	Sullivan	Wasserman
Altmore	Bilbray	Booya (KS)	Capito	Grijalva	McHugh	Sessions	Sutton	Schultz
Arcuri	Bilirakis	Brady (PA)	Capps	Gutierrez	McIntyre	Sestak	Tancredo	Waters
Baca	Bishop (GA)	Brady (TX)	Capuano	Hall (NY)	McKeon	Shadegg	Tanner	Watson
Bachmann	Bishop (NY)	Braley (IA)	Cardoza	Hall (TX)	McMorris	Shays	Tauscher	Watt
Bachus	Bishop (UT)	Broun (GA)	Carnahan	Hare	Rodgers	Shea-Porter	Taylor	Weiner
Baird	Blackburn	Brown (SC)	Carney	Harman	McNerney	Sherman	Terry	Welch (VT)
Baldwin	Blumenauer	Brown, Corrine	Carson	Hastings (FL)	McNulty	Shimkus	Thompson (CA)	Weldon (FL)
Barrett (SC)	Blunt	Buchanan	Carter	Hastings (WA)	Meek (FL)	Shuler	Thompson (MS)	Weller
Barrow	Boehner	Burgess	Castle	Hayes	Meeks (NY)	Shuster	Thornberry	Westmoreland
Bartlett (MD)	Bonner	Burton (IN)	Castor	Heller	Melancon	Simpson	Tiahrt	Wexler
Barton (TX)	Bono Mack	Butterfield	Cazayoux	Hensarling	Mica	Sires	Tiberi	Whitfield (KY)
			Chabot	Herger	Michaud	Skelton	Tierney	Wilson (NM)
			Chandler	Herseth Sandlin	Miller (FL)	Slaughter	Towns	Wilson (OH)
			Childers	Higgins	Miller (MI)	Smith (NE)	Tsongas	Wilson (SC)
			Christensen	Hinchey	Miller (NC)	Smith (NJ)	Turner	Wittman (VA)
			Clarke	Hinojosa	Miller, Gary	Smith (TX)	Udall (CO)	Wolf
			Clay	Hirono	Miller, George	Smith (WA)	Udall (NM)	Woolsey
			Cleaver	Hobson	Mitchell	Snyder	Upton	Wu
			Clyburn	Hodes	Mollohan	Solis	Van Hollen	Yarmuth
			Coble	Hoekstra	Moore (KS)	Space	Velázquez	Young (AK)
			Cohen	Holden	Moore (WI)		Visclosky	Young (FL)
			Cole (OK)	Holt	Moran (KS)			
			Conaway	Honda	Moran (VA)			
			Cooper	Hooley	Murphy (CT)			
			Costa	Hoyer	Murphy, Patrick			
			Costello	Hunter	Murphy, Tim			
			Courtney	Inglis (SC)	Murtha			
			Cramer	Inslee	Musgrave			
			Crenshaw	Israel	Myrick			
			Crowley	Issa	Nadler			
			Cubin	Jackson (IL)	Napolitano			
			Cuellar	Jackson-Lee	Neal (MA)			
			Culberson	(TX)	Neugebauer			
			Cummings	Jefferson	Norton			
			Davis (AL)	Johnson (GA)	Nunes			
			Davis (CA)	Johnson (IL)	Oberstar			
			Davis (IL)	Johnson, E. B.	Obey			
			Davis (KY)	Johnson, Sam	Olver			
			Davis, David	Jones (NC)	Ortiz			
			Davis, Lincoln	Jones (OH)	Pallone			
			Davis, Tom	Jordan	Pascrill			
			Deal (GA)	Kagen	Pastor			
			Defazio	Kanjorski	Paul			
			DeGette	Kaptur	Payne			
			Delahunt	Keller	Pearce			
			DeLauro	Kennedy	Pence			
			Dent	Kildee	Perlmutter			
			Diaz-Balart, L.	Kilpatrick	Peterson (MN)			
			Diaz-Balart, M.	Kind	Peterson (PA)			
			Dicks	King (IA)	Petri			
			Dingell	King (NY)	Pitts			
			Doggett	Kingston	Platts			
			Donnelly	Kirk	Poe			
			Doolittle	Klein (FL)	Pomeroy			
			Doyle	Kline (MN)	Porter			
			Ehlers	Knollenberg	Price (GA)			
			Ellison	Kucinich	Price (NC)			
			Ellsworth	Kuhl (NY)	Putnam			
			Emanuel	LaHood	Radanovich			
			Emerson	Lamborn	Rahall			
			Engel	Lampson	Ramstad			
			English (PA)	Langevin	Rangel			
			Eshoo	Larsen (WA)	Regula			
			Etheridge	Larson (CT)	Rehberg			
			Everett	Latham	Reichert			
			Fallin	LaTourette	Renzi			
			Farr	Latta	Reyes			
			Fattah	Lee	Reynolds			
			Feeley	Levin	Richardson			
			Ferguson	Lewis (CA)	Rodriguez			
			Filner	Lewis (GA)	Rogers (AL)			
			Flake	Lewis (KY)	Rogers (KY)			
			Forbes	Lofgren, Zoe	Rogers (MI)			
			Fossella	Lowey	Rothman			
			Foster	Lucas	Royal-Allard			
			Foxx	Lungren, Daniel	Ruppertsberger			
			Frank (MA)	E.	Roybal-Allard			
			Franks (AZ)	Lynch	Ryan (OH)			
			Gallo	Mack	Ryan (WI)			
			Gillegly	Mahoney (FL)	Salazar			
			Garrett (NJ)	Maloney (NY)	Sánchez, Linda			
			Gerlach	Manzullo	Sánchez, T.			
			Giffords	Markey	Sali			
			Gilcrest	Marshall	Sánchez, Loretta			
			Gillibrand	Matheson	Sarbanes			
			Gingrey	Matsui	Saxton			
			Gohmert	McCarthy (CA)	Scalise			
			Guzzo	McCarthy (NY)	Shakowsky			
			Goode	McCaull (TX)	Schiff			

Buyer	Goodlatte	McCollum (MN)	Schmidt	Speier	Walberg
Calvert	Gordon	McCotter	Schwartz	Spratt	Walden (OR)
Camp (MI)	Granger	McCrary	Scott (GA)	Stark	Walsh (NY)
Campbell (CA)	Graves	McDermott	Scott (VA)	Stearns	Walz (MN)
Cannon	Green, Al	McGovern	Sensenbrenner	Stupak	Wamp
Cantor	Green, Gene	McHenry	Serrano	Sullivan	Wasserman
Capito	Grijalva	McHugh	Sessions	Sutton	Schultz
Capps	Gutierrez	McIntyre	Sestak	Tancredo	Waters
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Conaway	Honda	Moran (VA)			
Cooper	Hooley	Murphy (CT)			
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Costello	Hunter	Murphy, Tim			
Courtney	Inglis (SC)	Murtha			
Cramer	Inslee	Musgrave			
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Crowley	Issa	Nadler			
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Davis, David	Jones (NC)	Orlitz			
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Delahunt	Keller	Pearce			
DeLauro	Kennedy	Pence			
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Farr	Lewis (KY)	Rogers (KY)			
Fattah	Linder	Rogers (MI)			
Feeley	Lipinski	Rohrabacher			
Ferguson	LoBiondo	Ros-Lehtinen			
Filner	Loebsack	Roskam			
Flake	Lofgren, Zoe	Ross			
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Gillcrest	Markey	Sánchez, Loretta			
Gillibrand	Marshall	Sánchez, Linda			
Gingrey	Matheson	Sánchez, T.			
Gohmert	Matsui	Sánchez, Linda			
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Cantor	Green, Gene	McHenry	Serrano	Sullivan	Wasserman
Capito	Grijalva	McHugh	Sessions	Sutton	Schultz
Capps	Gutierrez	McIntyre			

There was no objection.

The SPEAKER pro tempore. Without objection, respective motions to reconsider are laid on the table.

There was no objection.

WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT—Continued

The SPEAKER pro tempore. Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mr. FALLIN. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

Amend section 3 to read as follows:

SEC. 3. ENERGY.

Section 7 of the National Trails System Act (16 U.S.C. 1246) is amended by adding at the end the following new subsection:

“(1) Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.”.

Mr. RAHALL. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, America has slammed into an energy wall in the past 18 months, with gas prices escalating 70 percent since the beginning of the 110th Congress when the current Democratic leadership took control. Americans are now paying over \$4 and change for a gallon of gasoline. This dire situation affects not only drivers, but ripples through all commerce of the United States, from the cost of food, to building materials, to tourism, to jobs, to health care, and in short, our economic security. Increased supply from our own American resources is one tool that we have in our tool box to help us get out of this mess.

This is a bipartisan solution, as demonstrated by Speaker PELOSI’s recent request to President Bush to release oil from the Strategic Petroleum Reserve to help funnel more product to American refineries, and thus more gas to local gas stations.

While this is a small step in a positive direction, the Democratic-controlled House of Representatives has only compounded the problem of American energy supplies. The current leadership has scheduled and passed over a dozen bills from the Committee on Natural Resources alone restricting or potentially restricting energy development on the public lands of the United States. We also expect a package of over 60 more bills from the Senate before we adjourn, most of which will impact energy exploration and development on public lands.

The Democratic leadership of the House of Representatives has also failed to lift the congressional moratorium on the development of oil and natural gas resources from the Outer Continental Shelf. It has blocked access to over 1 million acres of uranium-rich lands in the southwestern United States, fuel which could be harnessed to produce clean, air-friendly nuclear energy. It has locked up oil shale and stopped energy transmission corridors across public lands. It has even tried to stop wind energy.

While this trail bill before us may seem like small potatoes, it is indicative of a larger problem. The more lands we place off-limits to multiple uses, including energy development, then the more we have to rely on others for our economic feedstock of energy.

This trail will affect lands and waters in more than nine States in very populous eastern areas and the mid-Atlantic region of America. At least, thanks to Congressman PEARCE’s amendment, we will know exactly what energy resources will be impacted by this designation. This is not true for all trails designated under the National Trails Act.

Currently, there are thousands of miles of trails affecting every region of the United States, and with the trend in legislative activity in this Congress, we can certainly expect many more in the near future.

This motion to recommit will ensure that we do not inadvertently cut off crucial energy supplies during the current crisis when we designate trails under the National Trails Act. It expands on language authored by Congressman ROB WITTMAN, now in section three of the bill, which was readily accepted by both Democrats and Republicans during the markup of H.R. 1286 in the Committee on Natural Resources just 2 weeks ago. What is good for the Washington-Rochambeau trail should be good for all trails, wherever located.

And, Madam Speaker, as I just mentioned, this House just voted unanimously on an amendment by Congressman PEARCE for an energy assessment on this trail, so why should we prohibit or hinder the development, the production, the conveyance, or transmission of energy on any trail in the United States?

I ask for your support.

Ms. GIFFORDS. Madam Speaker, I would like to submit for the RECORD the following concerns and suggestions regarding certain sections of S. 2284, the Senate version of the Flood Insurance Reform and Modernization Act. These specific concerns were expressed to me by officials from the town of Marana, Arizona. They relate to the potential adverse effects these sections could have on the Marana community. I urge my House and Senate colleagues to take all of these concerns into consideration while negotiating the final version of this bill.

The specific concerns relating to Section 6 are the reason I voted “no” on the Republican Motion To Instruct Conferees that was offered on the floor today.

The town of Marana’s concerns are as follows:

1. Section 6, Reform of Premium Rate Structure: Much of this Section seeks to disallow preFIRM (Flood Insurance Rate Map) rates for second homes, repetitive loss structures, substantially improved structures, commercial structures, and others. However, the current language could have unintended, adverse consequences. Of concern to Marana is Subsection (g)(1), which states:

“(g) No Extension of Subsidy to New Policies or Lapsed Policies.—The Director shall not provide flood insurance to prospective insureds at rates less than those estimated under subsection (a)(1), as required by paragraph (2) of that subsection, for—(1) any property not insured by the flood insurance program as of the date of enactment of the Flood Insurance Reform and Modernization Act of 2008; . . .

We are concerned that Subsection (g)(1) would preclude the writing of any new pre-FIRM policies after the enactment of the legislation. This could negatively affect residences that were built pre-FIRM but then placed into a floodplain by a subsequent map change after the legislation is enacted.

2. Section 7, Mandatory Coverage Areas: The intent of this Section appears to be the accurate portrayal of risk behind man-made flood control structures. Subsection 107(b)(1) reads as follows:

(1) include any area previously identified by the Director as an area having special flood hazards under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a);

This language would essentially require properties located in areas that had once been designated as floodplain, but since removed from the floodplain, to continue to carry mandatory flood insurance. Marana would like to point out that many Letters of Map Revision (LOMR) incorporate better information (hydrology or topography) than was available when the maps were originally created. These types of LOMRs do not involve physical construction and therefore the areas removed are not typically residual risk areas. Areas that are at a residual risk after a LOMR from a physical change would be accounted for in Subsection 107(b)(2), which reads as follows:

(2) require the expansion of areas of special flood hazards to include areas of residual risk, including areas that are located behind levees, dams, and other man-made structures

We recommend this language be revised. It is problematic in that it equates residual risk areas to Special Flood Hazard Areas (SFHAs). SFHAs are high hazard areas requiring normal flood insurance. Residual Risk areas typically require less flood insurance or preferred risk policies. Also, the language is not clear regarding man-made structures that are distinct flood control structures.