

What I'd just like to speak to you specifically about this particular issue is when he said that the Bush administration rushed to sell these leases, they were in a hurry to get them done, nothing could be further from the truth.

These leases are part of a resource management plan which had been in effect for 25 years, and we were trying to update them for the first time in 25 years. Each one of these leases went through 7 years of study, hundreds of town meetings, thousands of inputs from individuals. Now, I'm sorry. If 7 years is a rush to judgment, something is wrong somewhere.

What we are talking about here are decisions that were made not only by Federal BLMA employees as to the viability of these lands, but also the State of Utah. So the State Fish and Wildlife chairman was in charge of signing off on all this. The State Historical Preservation officer was in charge of signing off on all these particular leases.

When they were announced after 7 years of study and, might I add, there was not one acre added to this management plan that had been in the management plan 25 years. The Park Service objected to a few acres around the national parks. Those were withdrawn by the Bureau of Land Management.

So these acres are not around those national parks. These acres—77 leases—these acres were the product of a lawsuit by special interest groups that were pulled off the table by Secretary Salazar, not because it was a rush by the Bush administration, but it was a 7-year planning session. These are all miles away from any kind of natural splendor in the State of Utah. And that is why it is so astounding.

I am amazed that if you actually look at the number of leases that were done—you probably cannot see this on the camera—but, starting with the Clinton administration, every year we offered 3,300 leases; 3,800 leases, 30,000 leases, 3,300 leases. And, when Bush took office, the number went down to 25, 16, 14, 15.

The average number of leases in the 7 years of the Clinton administration was 2,900 year. In Bush, 1,900 per year. The Clinton administration offered more opportunity for exploration of natural resources than the Bush administration did. And when we say this is a rush to judgment, he was paying off rents at the last minute, it is flat out not true.

What happened is the Secretary of the Interior in a knee-jerk reaction to special interest groups pulled off land that should never have been pulled off because it was land that had been thoroughly vetted, and the only changes in the land plan was to make it more environmentally sensitive as to landscapes, noisescapes, lightscapes, and disruption of the surface property.

This is my territory. I know about it. And I am incensed that this was done, because there is no rational reason for it.

I yield back to the gentleman from Texas.

Mr. GOHMERT. I appreciate my friend from Utah. It's one of the reasons I love my friend from Utah. When I saw my friend on the floor, I knew that you would be able to enlighten even further.

So, it looks like what we could suggest for our Interior Secretary Salazar, since he thought these leases were, as he says, some of the country's most precious landscapes around national parks and wild Green River, we will just have to encourage him to discover a little more about America so that he will understand what it is before he kills more jobs, hurts more families, as he does.

My time is wrapping up. What occurs to me when we see these incredible resources that would just, if we did the Outer Continental Shelf and Alaska's oil and gas, which Alaska, the vast majority want to pursue, we'd have the 3 million jobs. It wouldn't be saving the jobs. Those would be saved. But we would have 3 million-plus plus new jobs.

What I thought about is a sweet man—I just loved him to death—from Nacogdoches, Texas. Bob Murphy. He passed away a few years ago. But I used to love to hear him talk.

And he told a story one time back when I was in high school, the first time I heard him, and he said that there was a fellow that came to have coffee with him at the coffee shop every other day. And every time he would come in, he'd order coffee. And the waitress would pour his coffee. And he would take the sugar jar and just pour it. And you knew that at least a third of the cup was full of sugar, and then he would never stir it. And he would drink it, they would add more coffee, and he'd add more sugar, and never stir.

Finally, it got the best of Bob. And he said, Look. Why don't you just stir what you got? He said, Bob, if I stirred all that sugar, it would make me sick.

Well, here in the United States, if we stir what we got, if we use these incredible resources with which we have been so blessed. We provide jobs. We have money here at home that we don't have to send to other countries. We provide for ourselves, we provide for the common defense, we provide people the opportunity to reach their God-given potential.

We have been so blessed. It's ashamed to keep giving back and saying, No, thank you, God. We don't want these gifts. We are not going to use them.

It's time to use what we have got, stir what we have got. Thank you, Mr. Speaker. I appreciate the time. I yield back.

#### OMNIBUS LAND BILL of 2009

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Utah (Mr. BISHOP) is recognized for 60 minutes.

Mr. BISHOP of Utah. I appreciate the opportunity of being here. I appreciate

being able to catch the last of the gentleman from Texas so I could add in, especially as he talked about my home State.

It's unusual because, to be honest, most of everything we are talking about in this Nation and in Congress is the stimulus bill. Everything is about the stimulus bill. And it's appropriately so.

It seems to those who are cynical here in Washington that we are trying to push the stimulus bill through as fast as possible in, as the cynics would say, an effort to try and stop people from seeing what is actually in there, because the more we look at it, the more problematic the entire bill comes.

But today I wish to talk about a different bill, as ominous as the stimulus bill. In fact, it is called the Omnibus Land Bill of 2009, which will be coming up this week. And if you think the stimulus bill is being rushed through Congress, the way this omnibus land bill is being pushed through Congress makes the stimulus bill look like it's absolutely plodding through this process.

The omnibus land bill that will be up sometime this week, supposedly, is over 160 different bills wrapped into one gigantic bill. Seventy-seven of those bills have never been discussed in the House. There has never been a hearing, nor a markup in committee, a vote on the floor, of over half of those particular bills, which means if I was allowed this hour to talk about every one of these bills, I would have to take around 20 seconds apiece to go through everything that is in this particular omnibus land bill.

And one must have to ask very simply, Why do it so quickly? What is the speed? At least in the stimulus bill we can say there is an emergency that we have to do something, but we can't do it here.

So I intend to speak about this omnibus bill and say why there are some problems, even though I fully admit there are some very, very good bills in the omnibus bill. I should know that two of them are mine. And they are very good bills.

Chairman RAHALL of the Resources Committee has some bills in here that we have talk about on the floor and in committee. They are very, very good bills.

□ 1845

But still, 77 of them are bills that the Senate decided to put into this package without the House having any kind of input or hearing into this process.

So I am going to be talking about the problems of this bill and the process of it, the cost of it, as well as the content that happens to fit into this particular pattern.

Now a lot of people here in this House have been former State legislators. That gives us some ability to help as far as understanding the process of what is going on. But it also helps us to

understand there are other ways of doing things. I have to admit, in most State legislatures, this type of bill would not be allowed to come to the floor. Most States have germaneness laws, which simply say for every bill, it is one topic area, and that is because every bill deserves to be discussed and voted on its merits and not lumped together with something else to help it through the process.

Indeed, if you have an omnibus land bill that creates a new Under Secretary of Energy, one can logically say what does that have to do with a land bill, and they would be correct. No State would allow this tragedy to take place.

One of the senior Members of this body is purported to have said, I have yet to ask him if it is true or apocryphal, but he is purported to have said that if I allow you to create all of the policy decisions, and you allow me to make all of the process decisions, I will screw you over every time, which simply means whenever we play fast and loose with the rules of the game, our process, there are going to be winners and losers. We are playing fast and loose with the rules of this particular game.

In the retreat that the opposition party, Democrat Party, just had, they made a statement. The spokesman for the Speaker said both the Speaker and leadership agree that it is preferable to use regular order, especially in non-emergency cases, and that has always been the intent.

This is not an emergency bill, but we are not going through regular order or using the process allowed. And someone would simply have to ask, Why? Why are we allowing the Senate to send over a blob of bills in which every case possible, when there was a Senate version, the House version was dropped and the Senate version was put in there? Why is it that House amendment after House amendment discussed on this floor, passed on this floor, both Republican and Democrat, were simply eliminated by our friends on the other side of the body? Why is it that they said discussing House amendments would take too long?

Some of the bills placed in this package have been sitting over in the Senate for 2 full years, passed in this body 2 years ago, and one would simply have to ask how long does it take for a Senator to read an amendment and why should we have a flawed version? What is the rush on this particular bill and who are the losers if we place this process in this particular order.

One of those answers is, well, taxpayers. This bill, according to the Congressional Budget Office, has somewhere between a \$7 billion to \$10 billion price tag. In the stimulus bill, depending on how it ends up, there was \$2 billion put in for the National Park Service to try to put a dent in the backlog of National Park Service projects. I understand why that is there, and it is definitely needed.

In my State, where they have those leases that were dismissed, unfortu-

nately, is Dinosaur National Monument. This is the Visitor Center. This is one of the coolest places I have ever been. You go inside, and they have scraped some of the dirt off the side of the mountain and you can see embedded in the rock, fossil remains of almost any dinosaur you want. It is a fantastic site, and this Visitor Center is condemned and closed for years because the Park Service does not have the money to fix it.

I understand why you would want to add \$2 billion to try to get at what is estimated at around a \$9 billion backlog. But what I don't understand is as you are trying to solve these kinds of problems and putting money in the stimulus bill, why do we then pass an omnibus land bill that adds another \$10 billion worth of backlog on top of what we already have? Why are we trying to expand and divert the resources that we have instead of taking care of what we have first? That would simply make sense. It is, indeed, countereffective.

Why in this land bill is there a place for a national park back east that will include, among the splendors of this park, a condo, a microbrewery and a butterfly garden which was not recommended or requested by the Park Service. Politically, we put this national park in there. When we have these kind of legitimate needs, why are we expanding it in this particular way?

This bill includes another 10 heritage areas at the price tag of \$110 million. Heritage areas, when originally established, were supposed to be for areas that had cultural and historic significance, and they were supposed to be for a short time so there would be enough incentive of Federal money to allow locals to take over and run those areas effectively to promote tourism. However, what we have seen in the past in another omnibus bill passed last year, as well as in this bill again, is not only those heritage areas coming back, but instead of allowing them simply to lapse, having been given the boost, we are extending them and their time period. We are reauthorizing them. And what is so amazing is we reauthorize them with more money than they asked. If the ask was for \$10 million, we gave them \$15 million. And for what purpose?

The founder decided it was supposed to be for a short period of time. We are now using these as economic development to attract tourism. That is nice, but the question is why should a taxpayer in South Carolina or Texas be required to put his tax money into economic tourism development in New York State? There is nothing wrong with competition and helping tourism, but why compel taxpayers to help the competition out? This is doing nothing more than diverting our resources.

We had a nice lady come before our committee wanting a new heritage area in her home State, actually crossing into two States. And I asked her please tell me what it is about this Federal designation that would make

it possible to make this heritage area more attractive that you can't do either by the State itself or by interlocal cooperation? Is your State not able to hire docents to lead people through? Are there not enough buses to bring kids there? What do you need?

To be very honest, as well as the lady tried to answer, she never said there was anything except the added respect and impetus that having this as a Federal designation would give it. And as soon as she said nothing more than the fact that this would add extra prestige to this area, one of my staffers leaned over and said, "Nope, the lady is wrong. There are 15 million reasons why this area needs Federal help. Each of those reasons is green, and it has a picture of George Washington on it."

I don't have a problem with heritage areas; I do have a problem with diverting our resources at a time when we need to focus them on what we already have at hand, and this bill before us will not do it.

Why the rush? Why not put this through regular order? And more importantly, who loses? And I'm sorry, but I think the taxpayers of this Nation lose.

There are recreation restrictions in this bill. The American Motorcycle Association and a broad coalition of recreation advocates have said the 80 new provisions in this bill that deal with their particular recreation opportunity will close more than 2 million acres of public land to ever allowing them to recreate on them again. These groups' members include millions of off-highway enthusiasts, vacationing families, and small businesses involved in the system. And what they have pleaded with us to do is, quoting from the letter that many groups signed, "It is our sincere hope that this Congress will develop a thoughtful approach to managing our public lands more than simply eliminating public access and creating additional layers of bureaucracy. Continued reasonable access to public lands is vitally important for current and future generations."

There is nothing wrong with that, so why not do it? Why the rush for this particular bill? And who are the losers other than Americans who enjoy recreating on public land.

There is another provision in this bill which deals with the State of Wyoming, where the delegation is not united, which will take 3 million acres of land that has energy potential and take them off from development forever. Within this, and there is some disagreement as to the total number, but there may be as much as 8 trillion cubic feet of natural gas, 300 million barrels of oil, in a tri-State area where there is about \$800 billion worth of oil shale, whatever the numbers are with which you wish to agree, it is the equivalent of 15 years of American energy production that can be used in this particular area; and the question is, Why do we rush? Especially when the delegation is not united on this

point, why do we rush this bill through and who becomes the loser?

This is only one of 19 provisions in this particular bill where areas are removed from potential energy exploration. Who are the losers? Well, I hate to say this, but as we had the energy debate this past year, it is very clear that it is poor people who are the losers. If you are rich, and I am not saying that anyone in this room today is rich, but energy prices are merely an inconvenience. If you are a poor person, on the poverty level, 50 cents of every dollar has to go to energy. Those are the people who have to decide whether they get energy or a tuna casserole, and leave those luxuries of Hamburger Helper behind. Those are the people who are hurt when we rush to judgment and pull more acreage of energy production off the table. That is not the way that this is supposed to be done.

If I can have you look at this chart for just a moment, it simply talks about the salaries of teachers in the State of Wyoming where we are now going to take 3 million acres of energy off the table, and the State of Montana. The higher one is what are paid teachers in Wyoming for every area. It shows bachelor's degree, bachelor's with experience, master's, and master's with experience.

The red is what is paid in Montana. You can see there are 20 grand extra that you can get for teaching in Wyoming. And the question I hope everyone asks is, Why?

It is very simple: because Wyoming develops their resources. If a State wants to be able to fund their education system to pay for their highways, to have a good college system, and they do not develop their resources, there is no hope.

When Mr. GOHMERT talked about what the secretary did by taking those leases off the table, the State of Utah, now trying to balance their budget with a negative tax flow, lost \$3 million overnight. That is \$3 million which could have gone to their education system and was no longer available simply because the secretary decided to play games with special interest instead of going along with the process that took 7 years to develop.

This chart is also one of my favorites. It is the famous blue chart. The area that is shaded in blue in each State is the amount of that State that is owned and controlled by the Federal Government. And I think you can see some amazing similarities. Obviously, Nevada and Alaska have almost 90 percent of their State owned by the Federal Government. At the lower end, New York and Rhode Island have less than 0.4 percent.

That is amazing because those of us who live in the Rocky Mountain West know what it is like to have an absentee landlord, or slumlord, as we call it, the Federal Government in charge of our land.

Compare this chart. The States in red are the States with the most dif-

ficult time paying for their education. I hate to say this, but you can see a one-to-one correlation between the amount of Federal land a State has and the inability to fund education. One of the things that we are finding as a phenomenon in Utah is that almost every article that talks about the difficulty of funding education in Utah will always say, well, of course, we are a public land State and there is so much in Utah that is untaxable. Obviously, we will have a difficult time. And it is true.

But that's not the way it has to be. If the Federal Government paid taxes on all that land at even the cheapest rate, Utah would get \$116 million every year at the lowest possible tax rate for education alone. About \$800 million nationwide for education alone if the Federal Government simply allowed themselves to pay for the amount of land that we have taken off the table and controlled and then still treat those States almost in a position of slavery.

Once again, why the rush? Why the rush to pass this bill? And who loses: kids, schools, and States.

□ 1900

More and more land is going to be eaten up in this bill. Already, the national government owns 650 million acres. I hate to say this, but already there are 708 wilderness areas in the United States. That is about 107 million acres, three more added in this bill, making it 110 million acres. That is roughly, if you were trying to figure something out, if you take the States of Virginia, North Carolina and Georgia, that is how much wilderness we already have in this country. So the question ought to be how much do we really need? How much should we be adding? Especially when one considers, according to the Congressional Research Office, there are only 108 million acres developed in this country. Urban-suburban areas come up with 108 million acres. This bill will create 109-plus million acres of wilderness.

The question is why the rush to judgment, the speed for passing this bill? And once again, who loses? Those wonderful heritage areas don't count, I might add. The National Park Service said to have a heritage area, it should be something historically significant. By definition in the Parks Service, that means a cohesive, naturally distinctive landscape. I hate to say this, Tennessee, the entire State, is a heritage area. I want you to tell me what is the cohesive, naturally distinctive element from the Mississippi River to the Appalachian Mountains that ties Tennessee together in one of these national heritage areas? What I think I'm saying is I know who the losers are. And those are the people who are funding this system.

We have concerns of private property with this bill, simply because every element to try and protect private property was stripped in the Senate.

There are very few people who know that the Secretary of the Interior, who is one of the few cabinet members, maybe the only cabinet member, that has the right to condemn property. Why? Why is that in there? Why is that provision given to him? Why is it that when we try to bring this up and everybody says, no, no, no, we will put protections in the law, this was one of the laws we passed already, but what we tried to say is when you talk about protections that we're putting in the law, nothing will supersede the underlying code we have which says that nothing contained in this section shall preclude the use of condemnation, which is the power the Secretary of the Interior has. We tried to limit and soften this. And fortunately, this House went along with many of those amendments. The Senate took them all out. Why the speed? Why the rush? And who becomes the losers?

Oftentimes, we were told that if you create a heritage area, again, not a park but a heritage area, okay, there will be no kind of overt control on the people who have private property in those heritage areas. There was one that we passed last year that deals with property very close to the Capitol here. And the guarantee was that at no time would this interfere with local government or private property rights. And yet within 6 months of the passage of that bill, the leaders and organizers of that heritage area were already meeting in a letter that came out in the Gettysburg Times with three local communities to revise their outdoor signage codes. In essence, what they said is that the heritage area gave them extra teeth with outdoor sign regulations along the corridor. And they used them. One of the councilmen, actually a supervisor in one of the townships, quite simply said, this is an amazing process we are now stuck in. This township voiced apprehension about the agency's or this heritage area's agenda and whether the group plans to lobby for further land-use regulations along the corridor. My question is, he said, what is next? When we originally passed this, it was with the understanding there would be no usurping of local government control. This is trying to change our zoning. And the guy fears that new signage regulations would curb commercial development in his township.

Now all these things need to be worked out. The House, to its credit, and Chairman RAHALL, to his credit, tried to work through those issues. The Senate pulled them all back and sent us this omnibus bill with individuals without any sort of protection whatsoever. It's called "regulatory taking." What is worry to me is what we should be doing is making sure that every person who has private property in a potential heritage area is notified by the government that they will now be included in the heritage area and they should know what that entails. And yet when we tried to put that specific language in, it was rebuffed. But that

should be the very minimum, because that is exactly what happened. And those people with private property, they are the losers. And why once again, why the speed and the rush to pass this particular bill?

One of those elements in there is one we have talked about a long time before. The good old Taunton River. The Taunton River project in Massachusetts has 35 miles of the upper Taunton which clearly qualifies as wild and scenic rivers, and 7 miles in the lower Taunton, which doesn't. Now I spent a lot of time on this floor talking about that bill, so I don't need to rehash everything. But the issue at hand is simply this, 40 years ago, we wrote a wild and scenic river bill for the purpose of allowing protection for scenic, recreational, geological, fish and wildlife, historical and cultural endeavors and to protect them from development. That is the purpose of a wild and scenic river.

Now when I came in here last year arguing about this particular bill, I showed you a lot of ugly pictures found in Taunton River. I was overly rambunctious in my rhetoric. Fall River is not an ugly city. It is a very attractive one. In any city you can find bad pictures. I found ugly ones. The sponsor of this bill found pretty ones. The issue, though, is not is it ugly or pretty. The issue is if there is any construction, it no longer qualifies as a wild and scenic river. By the definition of law, if it's a wild and scenic river, within one-half mile of the bank, there can be no construction, only needful building. Look at this. There are nice homes and docks. There is a maritime museum. There are condominiums. There is commercial development. There is industrial development. All of that precludes this from ever being considered. Once again, the parks department did not recommend this as a wild and scenic river. They said in the report it was controversial. It was problematic. It would solve some political problems. But it's not what was at hand.

And why am I railing against this provision? Not because I don't like the people in this area, even though I have received a signature of petition from 1,000 people from Fall River and the community in Massachusetts who are objecting to this procedure, but because of what this does to the rule of law. Look, we have all these great lawgivers around us. Hammurabi was the first one. And the addition you have, the importance you have of law, is you have down in writing what is the standard of conduct. And when a standard of conduct can be changed by simply a majority vote, all of a sudden, the reason and purpose for having the law in the first place become moot. It becomes harmful. Who we are harming by passing this is not just the people in this area, although they recognize that. It's harming all of us because what we are doing is saying, we will make a definition of what a wild and scenic river is, and whenever we can

get enough votes on this floor, we will throw it out and do whatever we wish to do. And that is the exact opposite of the way a civilized society should run itself.

Why the rush to judgment? And why, for heaven's sake, are we doing this? And who becomes the losers? Not just in the specific area of Massachusetts, but in this Nation, who becomes the losers? That is us. There is a National Landscape Conservation System already under internal investigation. I don't expect anything to come from that. But we should at least wait until the internal investigation is done before we move forward with anything.

This bill codifies that. And it puts 28 million acres, most of it in the West, with another layer of bureaucracy to administer. That is not a new administration, it's an additional administration. And I'm sorry, as somebody who lives in the West, I can tell you that will make a difference to those of us who live in the West. This new document now allows the Federal Government to regulate such wonderful things as, get ready for this one, smellscape. I don't know how you judge smells in a public park. I don't know why you would want to judge smells in a public park. But that is the power we are giving. Why the rush to judgment? And for heaven's sake, who loses in this particular process?

We have one other element that is in there, too. We are now going to ban people from finding fossils on public ground. This is a bill that was heard in committee but was never heard on the floor of this House. This House did not pass that bill. It was not passed in the Senate, either, until it was added, once again, as another add-on to this particular omnibus lands bill. But before me, I have this statement of the Association of Applied Paleontological Sciences who are objecting to this bill, not that this bill can't be worked out in some way, but that this bill does not do it. They talk about section 5 paragraph 3 that talks about locality and localities not being released, which is the exact opposite of what paleontological science should do, about section 8 where you are supposed to identify a fair market value for anything found, which you cannot do, about section 7, where people cannot support a false record or label or identification on something, and when you find it, you don't know what it is, it cannot be done, and section 9 where vehicles or equipment may be taken away for any kind of violation of 5, 8 and 7, which cannot be done.

The problem the experts are pointing out is the bill is unworkable. Why is it added? Why is there a rush to pass this bill? And who obviously loses in this process? I could talk about things that make this bill as uncomfortable as the stimulus. I could ask why, in this omnibus land bill, will we spend \$12 million to give the Smithsonian the chance to build a new greenhouse in Maryland to develop orchids? Why are

we giving \$5 million to a tropical botanical garden in Hawaii and Florida that already brings in \$12 million a year at a \$4 million profit with \$59 million of assets? Why do they need another \$5 million from taxpayers? Why are we spending \$4 million, this is a wonderful one, to find nonlethal efforts to prevent predatory behavior by wolves, \$4 million to create wimpy wolves, and \$1 billion to save 500 salmon in California? There are only 500. We are spending \$1 billion. I certainly hope these fish are never on the Oceanaire menu, because at this price, that is \$2 million a fish to be developed.

Why are we doing that? Is it because, as some of the myths say, if we don't pass this now we never will? No. Is it because this bill has been fully vetted? I have just gone over that. It hasn't been. It hasn't been in this body. Is this bill having solid bipartisan support? Then why are there over 100 organizations, from the chambers of commerce to recreation bodies to land-use bodies to public entity bodies, who are in opposition, not only to the content but especially to the process of this particular bill? And we should pass it because it is noncontroversial? Look, in the Congressional Research Service, the research arm, whatever that is, 37 times it uses the words "controversial" to describe provisions in this bill. This is not a bill everyone has signed off on and everyone agrees to and it doesn't do any harm.

We are breaking procedural processes. Bad procedure creates bad process and bad product. Why? Why is there a rush? Why not allow this to go through regular order? There is no emergency status on this bill. And once again, since we are rushing through the process, who wins? And more importantly, who loses? And there are a whole lot of people who lose. I would like this body, rather than passing this bill, to go through and cull out the provisions that truly are nonpartisan and noncontroversial. And there are a whole bunch of them, most of which have passed this body at one time or another. I would even be willing to go out and put in the bills that passed this body over my opposition because at least it was done fairly.

But more importantly, I would like us to do something proactively, establish private property protections, so that anyone that may be included in the broad grasp of the Federal Government, whether it be in the area of a national park or one of the newly created heritage areas in which they don't know what is about to hit them, give them the right of protection, take away the power of the Secretary of the Interior to condemn property, allow individuals to be notified if they are going to be included in any kind of park service area, especially heritage areas, and make sure that people have options and true transparency. What we need to have is a comprehensive energy policy so we are not taking 19 little areas here and there, piece by piece,

and taking them off the plate, but rather having it be a part of a logical program of how we are going to become energy self-sufficient in this country first and then deal with these land issues.

Why do we not establish a heritage criteria so that before any other group decides to create this area of getting more Federal money so they can promote their own tourism at the cost of other taxpayers elsewhere, there is a criteria of what is and what is not a true heritage area?

And why don't we help kids with the program that we once introduced called "Apple" which simply said in all those Western States whose land is now controlled by the Federal Government and was never intended to be, if you read the enabling acts of every Western State except Hawaii and California, and California's was done by a law 2 years later, that land was supposed to be given to the Federal Government until such time as the Federal Government shall dispose of it, and five percent of the proceeds of those disposals was supposed to go to the State for a permanent education trust fund.

□ 1915

And I have a bill called the Apple Bill, which simply says, look, if the Federal Government isn't going to live up to what they said in law, let the States pick 5 percent of their public lands to be used for the sole purpose of funding education in the States. And then the disparity between public land States and nonpublic land States will not be so glowing, and that my kids will have a chance at a decent education, and my colleges in my State will be funded. And since I'm an old public school teacher, so that my retirement will actually be there when I need it. I have some selfish motivations as well because, you see, in all these bills going through here, if you ask who are the losers, I am. My State is harmed. My kids are harmed. My education system is harmed. And why, for heavens sake, the rush to judgment?

Now, Mr. Speaker, unless the gentleman from Texas (Mr. GOHMERT) would desire a postscript—can I ask, can I inquire just how much time is left?

The SPEAKER pro tempore (Mr. PERRIELLO). The gentleman has 27 minutes remaining.

Mr. BISHOP of Utah. I have talked longer than I have ever done in my life, and hope never to top that record again. But I do have a moment if the gentleman from Texas would like to add a postscript.

Mr. GOHMERT. I appreciate the gentleman yielding. One of the things that's been so troubling with all the promises in 2006 that, if the Democrats were put back in the majority, then they would be the most open House, this would be the most open House, everything would go through committee, everything would go through regular

order. It has turned out that those have been completely hollow promises. This has been, from the best I can determine from the history of this place, perhaps the most totalitarian in the last 2 years, and it's certainly shaping up that way now. There's no chance for input.

We saw in the last Congress, they even found a way around conference committees by just cutting House Republicans out completely, finding some Republicans in the Senate willing to go along, agreeing to a bill without the conference rule being followed, and then being sent back over and over and over.

There's amendments not being allowed. The rules are being changed this time, stripping out so much that is proper process. All of those people represented by people in the minority should have a chance to have their vote in this House, but we're rapidly building into a situation of taxation without representation because we're not being allowed—we can come to the floor and talk like this, but we're not being allowed to have input in these bills, and they're being rammed down the throats of Americans who deserve better. They deserve the transparency that has not happened.

And I just appreciate so much my friend from Utah (Mr. BISHOP) pointing out the problems with the process that has created such a terrible monstrosity as this bill ultimately, with some good ingredients in there, but ultimately a terrible monstrosity. And I appreciate my friend for yielding.

Mr. BISHOP of Utah. Reclaiming my time, I appreciate the gentleman from Texas (Mr. GOHMERT). Once again, I think we need to—in fact, the gentleman from Texas probably knows there is a new word in our vocabulary now called "ping-ponging" which is the process of eliminating conference committee and just pinging the bill back and forth between Houses, without ever having to involve the minority in any of those messy discussions. That's a new term.

But, once again, I would just like to conclude by asking the Speaker to do what her spokesman said when she said both the Speaker and leadership agree, it is preferable to use regular order, especially in non-emergency cases, and that has always been the intent.

Putting this bill on the floor without going through regular order, without allowing a committee to look at it, without allowing, if it comes on a closed rule, comes under suspension, that's a violation of the process.

And once again, I don't mind losing quite as much if the process is open and fair. And that's what we're asking for.

This is not an emergency bill. We're asking for an open, fair process.

With that, Mr. Speaker, I know the staff will be very happy since I appear to be the last speaker of the day, and a chance for you to actually get home at a reasonable hour.

I yield back the balance of my time.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BISHOP of New York) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. GUTHRIE) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today, February 10, 11, 12 and 13.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, today, February 12 and 13.

Mr. GOHMERT, for 5 minutes, February 10 and 11.

Mr. PAUL, for 5 minutes, February 10 and 11.

Mr. JONES, for 5 minutes, today, February 12 and 13.

Mr. DANIEL E. LUNGREN of California for 5 minutes, February 10.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. GUTHRIE, for 5 minutes, today.

Mr. THOMPSON of Mississippi, for 5 minutes, today.

Mr. BRADY of Pennsylvania, for 5 minutes, today.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 383. An act to amend the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110-343) to provide the Special Inspector General with additional authorities and responsibilities, and for other purposes; to the Committee on Financial Services; in addition, to the Committee on Oversight and Government Reform for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 352. An act to postpone the DTV transition date.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 10, 2009, at 12:30 p.m., for morning-hour debate.