

PROVIDING FOR SALE OF FEDERAL INTEREST IN SALT LAKE CITY LAND

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1442) to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1442

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

**SECTION 1. CONVEYANCE OF FEDERAL REVERSIONARY INTEREST, MT. OLIVET CEMETERY, SALT LAKE CITY, UTAH.**

(a) **CONVEYANCE REQUIRED.**—*If, within one year after the completion of the appraisal required by subsection (c), the Mount Olivet Cemetery Association of Salt Lake City, Utah (in this section referred to as the "Association"), submits to the Secretary of the Interior an offer to acquire the Federal reversionary interest in all of the approximately 60 acres of land in Salt Lake City, Utah, conveyed to the Association under the Act of January 23, 1909 (chapter 37, 35 Stat. 589), the Secretary shall convey to the Association such reversionary interest in the lands covered by the offer. The Secretary shall complete the conveyance not later than 30 days after the date of the offer.*

(b) **SURVEY.**—*Not later than 90 days after the date of the enactment of this Act, the Secretary shall complete a survey of the lands described in subsection (a) to determine the precise boundaries and acreage of the lands subject to the Federal reversionary interest.*

(c) **APPRAISAL.**—*Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal reversionary interest in the lands identified by the survey in subsection (b). The appraisal shall be completed in accordance with the "Uniform Appraisal Standards for Federal Land Acquisitions" and the "Uniform Standards of Professional Appraisal Practice".*

(d) **CONSIDERATION.**—*As consideration for the conveyance of the Federal reversionary interest under subsection (a), the Association shall pay to the Secretary an amount equal to the appraised value of the Federal interest, as determined under subsection (c). The consideration shall be paid not later than 30 days after the date the conveyance is made.*

(e) **COSTS OF CONVEYANCE.**—*As a condition of the conveyance under subsection (a), all costs associated with the conveyance under subsection (a), including the cost of the survey required by subsection (b) and the appraisal required by subsection (c), shall be paid by the Association.*

(f) **DEPOSIT AND USE OF PROCEEDS.**—*The Secretary shall deposit the proceeds from the conveyance under subsection (a) in the Federal Land Disposal Account established by section 206 of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305). The proceeds so deposited shall be available to the Secretary for expenditure in accordance with subsection (c) of such section.*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. BROWN) 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 to 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. I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring to the House for its consideration this legislation sponsored by the gentleman from Utah, Representative JIM MATHESON.

In 1909, Congress authorized the transfer of 60 acres of Federal land in Salt Lake City, Utah, to the Mount Olivet Cemetery Association for use as a public cemetery. The legislation contained a reversionary clause to the Federal Government if the land were not used for the purpose of a cemetery.

Today, in order to raise revenue to operate the cemetery, the Mount Olivet Cemetery Association hopes to sell 13 undeveloped acres of this parcel to an adjacent school, and it has requested that the Federal Government relinquish its reversionary interest.

This noncontroversial bill, which was favorably reported out of the Natural Resources Committee by unanimous consent, authorizes the conveyance of the reversionary interest to the association in exchange for appropriate consideration based upon a survey and appraisal of the property.

Mr. Speaker, Congressman MATHESON has worked diligently on behalf of this legislation. The administration supports the bill, and I ask my colleagues to support its passage as well.

I reserve the balance of my time.

Mr. BROWN of South Carolina. I yield myself such time as I may consume.

Mr. Speaker, 100 years ago, a parcel of Federal land in Salt Lake City was conveyed to the Mount Olivet Cemetery Association. H.R. 1442 directs the Secretary to accept an offer from the association to purchase certain reversionary interests in 60 of those acres. The bill requires the sale to be accomplished at no cost to the taxpayer and for the appraised value of the rights.

I support the bill because it reduces, although only by 60 acres, excessive Federal land holdings at a time when the Department of Interior is facing a multibillion-dollar maintenance backlog for the lands it already owns.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Utah (Mr. MATHESON) such time as he may consume.

Mr. MATHESON. Well, first, I thank my colleague from Guam for recognizing me.

I am pleased to rise in support of this bill. You have heard the description of the bill, and if I could, I will just briefly point out what the repercussions are if we don't move this legislation.

This cemetery is a nonprofit entity. It has been around for about 100 years.

It is suffering some financial distress in terms of its endowment. It has figured and has looked at choices for how it could maintain itself and create greater financial viability. The notion of selling off a piece of the land that's undeveloped will ensure the integrity of the cemetery for the future. If, in fact, this cemetery were to go bankrupt and if this nonprofit couldn't continue to maintain it, the land would revert back to the Federal Government. I do not think the Bureau of Land Management wants to be in the business of owning and operating a cemetery in Salt Lake City, Utah.

So here we have a situation that is based on legislation that occurred 100 years ago, and today, we're making a substantive solution to a problem that has developed since, and there is no harm to the taxpayer. This is a commonsense bill, but I've got to tell you something: while it sounds simple, it wasn't simple, and I really want to commend the Resources Committee staff for being so helpful in working through this issue to find the right way to get it done. It may have passed the committee by unanimous consent, but that does not mean it did not take a lot of work and effort to make the right decision. So I want to thank the committee staff so much. I want to thank Chairman RAHALL and Subcommittee Chairman GRIJALVA.

I encourage the passage of this bill.

Mr. BROWN of South Carolina. Mr. Speaker, I continue to 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. BROWN of South Carolina. Mr. Speaker, I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill.

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. 1442, 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. BROWN of Georgia. 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.

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JOINT VENTURES FOR BIRD HABITAT CONSERVATION ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2188) to authorize the Secretary

of the Interior, through the United States Fish and Wildlife Service, to conduct a Joint Venture Program to protect, restore, enhance, and manage migratory bird populations, their habitats, and the ecosystems they rely on, through voluntary actions on public and private lands, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2188

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

**SECTION 1. SHORT TITLES.**

This Act may be cited as the “Joint Ventures for Bird Habitat Conservation Act of 2009”.

**SEC. 2. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) migratory birds are of great ecological and economic value to the Nation, contributing to biological diversity, advancing the well-being of human communities through pollination, seed dispersal, and other ecosystem services, and bringing tremendous enjoyment to the tens of millions of Americans who study, watch, feed, or hunt these birds;

(2) sustainable populations of migratory birds depend on the conservation, protection, restoration, and enhancement of terrestrial, wetland, marine, and other aquatic habitats throughout their ranges in the United States, as well as the rest of North America, the Caribbean, and Central and South America;

(3) birds are good indicators of environmental health and provide early warning of the impacts of environmental change, helping to yield the most out of every dollar invested in conservation;

(4) human and environmental stressors are causing the decline of populations of many migratory bird species, many of them once common, and climate change will exacerbate the impacts of these stressors on migratory bird populations;

(5) the coordination of Federal, State, tribal, and local government natural resource conservation efforts and the formation of partnerships that include a diversity of nongovernmental conservation organizations, private landowners, and other relevant stakeholders is necessary to accomplish the conservation of migratory bird populations, their habitats, and the ecosystem functions they rely on;

(6) hunters, through their purchase of Federal migratory bird hunting stamps and State hunting licenses, have long supported the conservation of migratory birds and their habitats in the United States through the various State and Federal programs that are supported by the fees charged for such purchases;

(7) the Department of the Interior, through the United States Fish and Wildlife Service, is authorized under a number of broad statutes to undertake many activities with partners to conserve natural resources, including migratory birds and their habitat;

(8) through these authorities, the Service has created and supported a number of joint ventures with diverse partners to help protect, manage, enhance, and restore migratory bird habitat throughout much of the United States and to conserve migratory bird species;

(9) the North American Waterfowl Management Plan, adopted by the United States and Canada in 1986, with Mexico joining as a signatory in 1994, was the first truly landscape-level approach to conserving migratory game birds and the wetland habitats on which they depend, and became the foundation for the voluntary formation of Joint Ventures;

(10) since the adoption of the North American Waterfowl Management Plan, joint ventures have expanded their application to all native

birds and other wildlife species that depend on wetlands and associated upland habitats, resulting in significant conservation benefits over the last twenty years;

(11) States possess broad trustee and management authority over fish and wildlife resources within their borders, and have utilized their authorities to undertake conservation programs to conserve resident and migratory birds and their habitats;

(12) consistent with applicable Federal and State laws, the Federal Government and the States each have management responsibilities affecting fish and wildlife resources, and should work cooperatively in fulfilling these responsibilities;

(13) other domestic and international conservation projects authorized under the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.) and the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), and additional bird conservation projects authorized under other Federal authorities, can expand and increase the effectiveness of the joint ventures in protecting and enhancing migratory bird habitats throughout the different ranges of species native to the United States; and

(14) the voluntary partnerships fostered by these joint ventures have served as innovative models for cooperative and effective landscape conservation, with far-reaching benefits to other fish and wildlife populations, and similar joint ventures should be authorized specifically to reinforce the importance and multiple benefits of these models to encourage adaptive resource management and the implementation of flexible conservation strategies in the 21st century.

(b) PURPOSE.—The purpose of this Act is to establish a program administered by the Director, in coordination with other Federal agencies with management authority over fish and wildlife resources and the States, to develop, implement, and support innovative, voluntary, cooperative, and effective conservation strategies and conservation actions to—

(1) promote, primarily, sustainable populations of migratory birds, and, secondarily, the fish and wildlife species associated with their habitats;

(2) encourage stakeholder and government partnerships consistent with the goals of protecting, improving, and restoring habitat;

(3) establish, implement, and improve science-based migratory bird conservation plans and promote and facilitate broader landscape-level conservation of fish and wildlife habitat; and

(4) coordinate related conservation activities of the Service and other Federal agencies to maximize the efficient and effective use of funds appropriated or otherwise made available to support projects and activities to enhance bird populations and other populations of fish and wildlife and their habitats.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) CONSERVATION ACTION.—The term “conservation action” means activities that—

(A) support the protection, restoration, adaptive management, conservation, or enhancement of migratory bird populations, their terrestrial, wetland, marine, or other habitats, and other wildlife species supported by those habitats, including—

(i) biological and geospatial planning;

(ii) landscape and conservation design;

(iii) habitat protection, enhancement, and restoration;

(iv) monitoring and tracking;

(v) applied research; and

(vi) public outreach and education;

(B) are conducted on lands or waters that—

(i) are administered for the long-term conservation of such lands or waters and the migratory birds thereon, including the marine environment; or

(ii) are not primarily held or managed for conservation but provide habitat value for migratory birds; and

(C) incorporate adaptive management and science-based monitoring, where applicable, to improve outcomes and ensure efficient and effective use of Federal funds.

(2) DIRECTOR.—The term “Director” means the Director of the United States Fish and Wildlife Service.

(3) IMPLEMENTATION PLAN.—The term “Implementation Plan” means an Implementation Plan approved by the Director under section 5.

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) JOINT VENTURE.—The term “Joint Venture” means a self-directed, voluntary partnership, established and conducted in accordance with section 5.

(6) MANAGEMENT BOARD.—The term “Management Board” means a Joint Venture Management Board established in accordance with section 5.

(7) MIGRATORY BIRDS.—The term “migratory birds” means those species included in the list of migratory birds that appears in section 10.13 of title 50, Code of Federal Regulations, under the authority of the Migratory Bird Treaty Act.

(8) PROGRAM.—The term “Program” means the Joint Ventures Program conducted in accordance with this Act.

(9) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(10) SERVICE.—The term “Service” means the United States Fish and Wildlife Service.

(11) STATE.—The term “State” means—

(A) any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands; and

(B) one or more agencies of a State government responsible under State law for managing fish or wildlife resources.

**SEC. 4. JOINT VENTURES PROGRAM.**

(a) IN GENERAL.—The Secretary shall conduct, through the United States Fish and Wildlife Service, a Joint Ventures Program administered by the Director. The Director, through the Program, shall develop an administrative framework for the approval and establishment and implementation of Joint Ventures, that—

(1) provides financial and technical assistance to support regional migratory bird conservation partnerships;

(2) develops and implements plans to protect and enhance migratory bird populations throughout their range, that are focused on regional landscapes and habitats that support those populations;

(3) complements and supports activities by the Secretary and the Director to fulfill obligations under—

(A) the Migratory Bird Treaty Act (16 U.S.C. 701 et seq.);

(B) the Migratory Bird Conservation Act (16 U.S.C. 715 et seq.);

(C) the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.);

(D) the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.);

(E) the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901 et seq.); and

(F) the Partners for Fish and Wildlife Act (16 U.S.C. 3771 et seq.); and

(4) support the goals and objectives of—

(A) the North American Waterfowl Management Plan;

(B) the United States Shorebird Conservation Plan;

(C) the North American Waterbird Conservation Plan;

(D) the Partners in Flight North American Landbird Conservation Plan; and

(E) other treaties, conventions, agreements, or strategies entered into by the United States and implemented by the Secretary that promote the conservation of migratory bird populations and their habitats.

(b) **GUIDELINES.**—Within 180 days after the date of enactment of this Act the Secretary, through the Director, shall publish in the Federal Register guidelines for the implementation of this Act, including regarding requirements for approval of proposed Joint Ventures and administration, oversight, coordination among, and evaluation of approved Joint Ventures.

(c) **COORDINATION WITH STATES.**—In the administration of the program authorized under this section, the Director shall coordinate and cooperate with the States to fulfill the purposes of this Act.

#### SEC. 5. JOINT VENTURE ESTABLISHMENT AND ADMINISTRATION.

##### (a) ESTABLISHMENT.—

(1) **IN GENERAL.**—The Director, through the Program, may enter into an agreement with eligible partners described in paragraph (2) to establish a Joint Venture to fulfill one or more of the purposes set forth in paragraphs (1) through (3) of section 2(b).

(2) **ELIGIBLE PARTNERS.**—The eligible partners referred to in paragraph (1) are the following:

(A) Federal and State agencies with jurisdiction over migratory bird resources, their habitats, or that implement program activities that affect migratory bird habitats or the ecosystems they rely on.

(B) Affected regional, local, and tribal governments, private landowners, land managers, and other private stakeholders.

(C) Nongovernmental organizations with expertise in bird conservation or fish and wildlife conservation or natural resource and landscape management generally.

(D) Other relevant stakeholders.

##### (b) MANAGEMENT BOARD.—

(1) **IN GENERAL.**—An agreement under this section for a Joint Venture shall establish a Management Board in accordance with this subsection.

(2) **MEMBERSHIP.**—The Management Board shall include a diversity of members representing stakeholder interests from the appropriate geographic region, including, as appropriate, representatives from the Service and other Federal agencies that have management authority over fish and wildlife resources on public lands or in the marine environment, or that implement programs that affect migratory bird habitats, and representatives from the States, and may include—

(A) regional governments and Indian tribes;

(B) academia or the scientific community;

(C) nongovernmental landowners or land managers;

(D) nonprofit conservation or other relevant organizations with expertise in migratory bird conservation, or in fish and wildlife conservation generally; and

(E) private organizations with a dedicated interest in conserving migratory birds and their habitats.

##### (3) FUNCTIONS AND RESPONSIBILITIES.—

(A) **ORGANIZATION AND OPERATIONS PLAN.**—A Management Board, in accordance with the guidelines published by the Director under section 4 and in coordination with the Director, shall develop, publish, and comply with a plan that specifies the organizational structure of the Joint Venture and prescribes its operational practices and procedures.

(B) **ADMINISTRATION.**—Subject to applicable Federal and State law, the Management Board shall manage the personnel and operations of the Joint Venture, including—

(i) by appointing a coordinator for the Joint Venture in consultation with the Director, to manage the daily and long-term operations of the Joint Venture;

(ii) approval of other full- or part-time administrative and technical non-Federal employees as the Management Board determines necessary to perform the functions of the Joint Venture, meet objectives specified in the Implementation Plan, and fulfill the purpose of this Act; and

(iii) establishment of committees, steering groups, focus groups, geographic or taxonomic

groups, or other organizational entities to assist in implementing the relevant Implementation Plan.

(4) **USE OF SERVICE AND FEDERAL AGENCY EMPLOYEES.**—Subject to the availability of appropriations and upon the request from a Management Board, and after consultation with and approval of the Director, the head of any Federal agency may detail to the Management Board, on a reimbursable or nonreimbursable basis, any agency personnel to assist the Joint Venture in performing its functions under this Act.

##### (c) IMPLEMENTATION PLAN.—

(1) **SUBMISSION OF PLAN TO DIRECTOR.**—Before the Director enters into an agreement to establish a Joint Venture under subsection (a), the Management Board for the Joint Venture shall submit to the Director a proposed Implementation Plan that shall contain, at a minimum, the following elements:

(A) A strategic framework for migratory bird conservation that includes biological planning; conservation design; habitat restoration, protection, and enhancement; applied research; and monitoring and evaluation activities.

(B) Provisions for effective communication among member participants within the Joint Venture.

(C) A long-term strategy to conduct public outreach and education regarding the purposes and activities of the Joint Venture and activities to regularly communicate to the general public information generated by the Joint Venture.

(D) Coordination with laws and conservation plans referred to in section 4(a)(3) and (4) that are relevant to migratory birds, and other relevant regional, national, or international initiatives identified by the Director to conserve migratory birds, their habitats, ecological functions, and associated populations of fish and wildlife.

(E) An organizational plan that—

(i) identifies the initial membership of the Management Board and establishes procedures for updating the membership of the Management Board as appropriate;

(ii) describes the organizational structure of the Joint Venture, including proposed committees and subcommittees, and procedures for revising and updating the structure, as necessary; and

(iii) provides a strategy to increase stakeholder participation or membership in the Joint Venture.

(F) Procedures to coordinate the development, implementation, oversight, monitoring, tracking, and reporting of conservation actions approved by the Management Board and an evaluation process to determine overall effectiveness of activities undertaken by the Joint Venture.

(G) A strategy to encourage the contribution of non-Federal financial resources, donations, gifts and in-kind contributions to support the objectives of the Joint Venture and fulfillment of the Implementation Plan.

(2) **REVIEW.**—The Director shall—

(A) coordinate the review of a proposed Implementation Plan submitted under this section; and

(B) ensure that such plan is circulated for review for a period not to exceed 90 days, to—

(i) bureaus within the Service and other appropriate bureaus or agencies within the Department of the Interior;

(ii) appropriate regional migratory bird Flyway Councils;

(iii) national and international boards that oversee bird conservation initiatives under the plans specified in section 4(a)(4);

(iv) relevant State agencies, regional governmental entities, and Indian tribes;

(v) nongovernmental conservation organizations, academic institutions, or other stakeholders engaged in existing Joint Ventures that have knowledge or expertise of the geographic or ecological scope of the Joint Venture; and

(vi) other relevant stakeholders considered necessary by the Director to ensure a com-

prehensive review of the proposed Implementation Plan.

(3) **APPROVAL.**—The Director shall approve an Implementation Plan submitted by the Management Board for a Joint Venture if the Director finds that—

(A) the plan provides for implementation of conservation actions to conserve waterfowl and other native migratory birds and their habitats and ecosystems either—

(i) in a specific geographic area of the United States; or

(ii) across the range of a specific species or similar group of like species;

(B) the members of the Joint Venture—

(i) accept the responsibility for implementation of national or international bird conservation plans in the region of the United States to which the plan applies; and

(ii) have demonstrated to the satisfaction of the Director the capacity to implement conservation actions identified in the plan, including (I) the design, funding, monitoring, and tracking of conservation projects that advance the objectives of the Joint Venture; and (II) reporting and conduct of public outreach regarding such projects; and

(C) the plan maximizes, to the extent practicable, coordination with other relevant and active conservation plans or programs within the geographic scope of the Joint Venture to conserve, protect, recover, or restore migratory bird habitats and other fish and wildlife habitat within the operating region of the Joint Venture.

#### SEC. 6. GRANTS AND OTHER ASSISTANCE.

(a) **IN GENERAL.**—Except as provided in subsection (b), and subject to the availability of appropriations, the Director may award grants of financial assistance to implement a Joint Venture through—

(1) support of the activities of the Management Board of the Joint Venture and to pay for necessary administrative costs and services, personnel, and meetings, travel, and other business activities; and

(2) support for specific conservation actions and other activities necessary to carry out the Implementation Plan.

(b) **LIMITATION.**—A Joint Venture is not eligible for assistance or support authorized in this section unless the Joint Venture is operating under an Implementation Plan approved by the Director under section 5.

(c) **CONSERVATION ACTION GRANT CRITERIA.**—The Secretary, through the Director, within 180 days after date of enactment of this Act and after consultation with representatives from Management Boards and equivalent entities of joint ventures referred to in section 8, shall publish guidelines for determining funding allocations among joint ventures and priorities for funding among conservation action proposals to meet the purpose of this Act and respective Implementation Plans.

(d) **MATCHING REQUIREMENTS.**—If a Management Board determines that two or more proposed conservation actions are of equal value toward fulfillment of the relevant Implementation Plan, priority shall be given to the action or actions for which there exist non-Federal matching contributions that are equal to or exceed the amount of Federal funds available for such action or actions.

(e) **TECHNICAL ASSISTANCE.**—The Secretary, through the Director, may provide technical and administrative assistance for implementation of Joint Ventures and the expenditure of financial assistance under this subsection.

(f) **ACCEPTANCE AND USE OF DONATIONS.**—The Secretary, through the Director, may accept and use donations of funds, gifts, and in-kind contributions to provide assistance under this section.

#### SEC. 7. REPORTING REQUIREMENTS.

(a) **ANNUAL REPORTS BY MANAGEMENT BOARDS.**—

(1) *IN GENERAL.*—The Secretary, acting through the Director, shall—

(A) require each Management Board to submit annual reports for all approved Joint Ventures of the Management Board; and

(B) publish within 180 days after the date of enactment of this Act guidelines to implement this subsection.

(2) *CONTENTS.*—Each annual report shall include—

(A) a description and justification of all conservation actions approved and implemented by the Management Board during the period covered by the report;

(B) when appropriate based upon the goals and objectives of an Implementation Plan, an estimate of the total number of acres of migratory bird habitat either restored, protected, or enhanced as a result of such conservation actions;

(C) the amounts and sources of Federal and non-Federal funding for such conservation actions;

(D) the amounts and sources of funds expended for administrative and other expenses of the Joint Venture of the Management Board, including all donations, gifts, and in-kind contributions provided for the Joint Venture;

(E) the status of progress made in achieving the strategic framework of the Implementation Plan of such Joint Venture and fulfillment of the purpose of this Act; and

(F) other elements considered necessary by the Director to insure transparency and accountability by Management Boards in the implementation of its responsibilities under this Act.

(b) *JOINT VENTURE PROGRAM FIVE-YEAR REVIEWS.*—

(1) *IN GENERAL.*—The Secretary, acting through the Director, shall at five years after the date of enactment of this Act and at five-year intervals thereafter, complete an objective and comprehensive review and evaluation of the Program.

(2) *REVIEW CONTENTS.*—Each review under this subsection shall include—

(A) an evaluation of the effectiveness of the Program in meeting the purpose of this Act specified in section 2(b);

(B) an evaluation of all approved Implementation Plans, especially the effectiveness of existing conservation strategies, priorities, and methods to meet the objectives of such plans and fulfill the purpose of this Act; and

(C) recommendations to revise the Program or to amend or otherwise revise Implementation Plans to ensure that activities undertaken pursuant to this Act address the effects of climate change on migratory bird populations and their habitats, and fish and wildlife habitats, in general.

(3) *CONSULTATION.*—The Secretary, acting through the Director, in the implementation of this subsection—

(A) shall consult with other appropriate Federal agencies with responsibility for the conservation or management of fish and wildlife habitat and appropriate State agencies; and

(B) may consult with appropriate, Indian tribes, Flyway Councils, or regional conservation organizations, public and private landowners, members of academia and the scientific community, and other nonprofit conservation or private stakeholders.

(4) *PUBLIC COMMENT.*—The Secretary, through the Director, shall provide for adequate opportunities for general public review and comment of the Program as part of the five-year evaluations conducted pursuant to this subsection.

#### **SEC. 8. TREATMENT OF EXISTING JOINT VENTURES.**

For purposes of this Act, the Director—

(1) shall treat as a Joint Venture any joint venture recognized by the Director before the date of the enactment of this Act in accordance with the United States Fish and Wildlife Services manual (721FW6); and

(2) shall treat as an Implementation Plan an implementation plan adopted by the management board for such joint venture.

#### **SEC. 9. RELATIONSHIP TO OTHER AUTHORITIES.**

(a) *AUTHORITIES, ETC. OF SECRETARY.*—Nothing in this Act affects authorities, responsibilities, obligations, or powers of the Secretary under any other Act.

(b) *STATE AUTHORITY.*—Nothing in this Act preempts any provision or enforcement of a State statute or regulation relating to the management of fish and wildlife resources within such State.

#### **SEC. 10. FEDERAL ADVISORY COMMITTEE ACT.**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any boards, committees, or other groups established under this Act.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. BROWN) 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 support H.R. 2188, the Joint Ventures for Bird Habitat Conservation Act of 2009, sponsored by our colleague from Maryland, Representative FRANK KRATOVIL. This bill seeks to highlight the critical importance that migratory birds have with our economy as well as their importance as a bellwether of the health of our environment. However, due to their wide distribution, the only way we can maintain this resource is to work cooperatively, creatively and purposefully with other nations and with all stakeholders to conserve migratory bird habitat.

The gentleman from Maryland's legislation directs the Secretary of the Interior to conduct a program of voluntary Migratory Bird Joint Ventures to establish durable partnerships to conserve bird habitat over entire geographic regions, thereby developing effective long-term strategies to conserve our common migratory bird resource for the benefit of all. The bill is broadly supported by conservation and hunting interests, the States as well as the administration. With that, I commend Mr. KRATOVIL for his leadership on this issue, and I ask Members to support passage of this measure.

I reserve the balance of my time.

Mr. BROWN of South Carolina. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 2188 would statutorily establish the existing Migratory Bird Joint Venture program. This program, which has been funded as an administrative line item in the U.S. Fish and Wildlife Service budget for over 20 years, has done a remarkable job of conserving some 15.7 million acres of grasslands, forests, wetlands and riparian habitat throughout North America.

By enacting this program into law, we will send a positive message to the

international community that the United States is committed to its wildlife treaty obligations. We will also ensure that Congress has an opportunity to periodically examine this program to evaluate its ongoing effectiveness and whether it merits the further expenditure of our taxpayer money in the future.

I would like to recognize the other three bipartisan sponsors of this legislation: Congressmen FRANK KRATOVIL, RON KIND, and ROB WITTMAN.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. KRATOVIL).

Mr. KRATOVIL. Mr. Speaker, the First Congressional District of Maryland is defined by a national treasure, the Chesapeake Bay and the surrounding watershed. During the winter the wetlands and surrounding habitat of the bay are home to a significant population of migratory waterfowl, including American black ducks, mallards, canvasbacks and Canada geese. However, too many of these birds and their habitats are at risk. Protecting these birds is vital because they play an integral role in the ecosystems across the country and serve as invaluable harbingers of environmental change. Protecting their habitats is also imperative to our constituents, who consider themselves passionate outdoorsmen and -women.

Part of our culture and heritage on Maryland's Eastern Shore and elsewhere in the country includes activities such as bird-watching, hunting, hiking, kayaking and fishing. In fact, according to a 2006 survey conducted by the United States Fish and Wildlife Service, 1.6 million individuals participate in hunting and wildlife-watching activities across the State of Maryland, leading to a total of nearly \$844 million in economic activity within the region. Waterfowl hunting alone was responsible for 726 jobs and nearly \$10 million in State and Federal tax revenue in Maryland. Needless to say, birds in Maryland have a significant recreational, economic and ecological impact. However, for us to have an environment and wildlife that future generations can enjoy, it is essential that we support effective habitat conservation. Joint ventures are effective, voluntary, public-private partnerships designed to protect, restore, enhance and manage migratory bird populations, their habitats and ecosystems.

I was pleased to introduce H.R. 2188, as has already been mentioned by my colleague, along with colleagues HENRY BROWN of South Carolina, Representative RON KIND of Wisconsin and Representative ROB WITTMAN of Virginia. The legislation establishes a voluntary joint venture program, administered by the Fish and Wildlife Service in coordination with other Federal agencies and the States to develop, implement and support cooperative and effective conservation strategies that promote sustainable bird populations, encourage

stakeholder and government partnerships, implement science-driven, landscape-level bird conservation strategies and coordinate related conservation activities. Joint ventures have already leveraged funds and science-based data to protect, restore or enhance over 13 million acres of habitat across this country. Joint ventures falling under the North American Waterfowl Management Plan have invested \$4.5 billion to conserve 15.7 million acres of waterfowl habitat. The Atlantic Coast Joint Venture, of which Maryland is a member, focuses on bird habitat in the Atlantic Flyway. The efforts of this joint venture have positively impacted over 280,000 acres across Maryland. Joint ventures successfully coordinate the activities of various stakeholders to protect migratory birds and conserve their habitats. Joint ventures, in sum, are an exemplary model that enjoy strong bipartisan support.

I encourage my colleagues to support this legislation on behalf of all of their constituents who seek to preserve and enjoy both these migratory birds and their habitats.

Mr. BROWN of South Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia, Dr. PRICE.

Mr. PRICE of Georgia. Mr. Speaker, I want to thank my friend from South Carolina for his leadership on this issue and for allowing me to speak for a few moments. This is clearly a bill that is supported on a bipartisan basis and something that ought to move forward. It's something that many care about. I would suggest, however, that what the American people mainly care about right now are the economy and jobs. The economy, spending, borrowing, the national debt.

The national debt, as of June 30, stood at \$11,545,275,346,431. Mr. Speaker, I know that's hard to believe; but that's \$37,609.23 for every man, woman and child in America. And over the last month, our national debt has increased by \$223.7 billion, a remarkable amount of increase. Since the Democrats took control of Congress in January of 2007, the national debt has increased \$2.9 trillion. That's over \$9,300 a person. At the end of April, the U.S. Government owed China \$763.5 billion. This year alone our debt to China has increased by over \$36 billion. So the economy is front and center for the American people. It is what is causing them the greatest amount of heartache and the greatest amount of concern. It's what moms and dads across this land are worried about when they tuck their kids in at night. The American people are hurting. Millions of Americans are out of work, and hundreds of thousands continue to lose their jobs each and every month.

Now the present administration, the Obama administration, and the Democrats in charge here in Congress promised that their trillion-dollar "stimulus" package would create jobs immediately, they said, and unemployment wouldn't rise over 8 percent if their

program was adopted. President Obama, in fact, said recently that the stimulus bill had "done its job" and is "working exactly as we anticipated." Well, Mr. Speaker, I know that comes as a surprise to the American people, as 1.96 million Americans have lost their jobs since the stimulus was enacted. I'm not quite certain that they believe the stimulus has "done its job" and worked exactly as they anticipated. In June alone almost 500,000 jobs were lost, increasing unemployment to 9.5 percent, the highest level in 26 years. So it's clear that the trillion-dollar stimulus package isn't working, Mr. Speaker; and the American people have a right to know, where are the jobs, where are the jobs?

Now the good news is that Republicans have a real plan, a real plan for a real recovery—fiscal discipline here in Washington; tax relief for working families, small businesses and family farms, the job creation engine of our Nation. So the American people deserve a recovery plan. They do, indeed. They deserve a plan that puts Americans back to work. No more borrowing, no more spending, no more unemployment. Mr. Speaker, the good news is that Republicans have a positive plan, positive solutions for the economy, for jobs, for energy self-sufficiency and, yes, for health reform. So whether it's the economy and jobs that the American people are concerned about, whether it's being able to put gasoline in their cars so they can get to work for their second or third job, trying to make ends meet at home, whether it's providing health care for themselves and their families, positive solutions do exist. The American people want us, as a Congress, to embrace those positive solutions, and I urge the Congress to act in a positive way.

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

Mr. BROWN of South Carolina. I have no further speakers and yield back the balance of my time.

Ms. BORDALLO. Again, I urge Members to support this bill.

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. 2188, 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. BROWN of Georgia. 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.

## LOS PADRES FOREST LAND CONVEYANCE

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 129) to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 129

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

### SECTION 1. LAND CONVEYANCE AUTHORITY, LOS PADRES NATIONAL FOREST, CALIFORNIA.

(a) CONVEYANCE AUTHORITY.—Subject to valid existing rights, the Secretary of Agriculture may convey to the White Lotus Foundation all right, title, and interest of the United States in and to the real property within the Los Padres National Forest in California described in subsection (b).

(b) DESCRIPTION OF PROPERTY.—The real property subject to conveyance under this Act is certain land located in Santa Barbara County, California, consisting of approximately 5 acres, as shown on the map titled "San Marcos Pass Encroachment for Consideration of Legislative Remedy", dated June 1, 2009.

(c) SURVEY.—The exact acreage and legal description of the real property to be conveyed under this Act shall be determined by a survey satisfactory to the Secretary.

(d) VALUATION.—Any appraisal of the real property to be conveyed under this Act shall conform to the Uniform Appraisal Standards for Federal Land Acquisitions, and the appraisal shall be subject to the approval of the Secretary.

(e) CONSIDERATION.—Consideration for conveyance of real property under this Act shall be in an amount not less than the appraised fair market value.

(f) TREATMENT OF PROCEEDS.—The gross proceeds from the conveyance of real property under this Act shall be deposited in the fund established by Public Law 90-171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a). The amount so deposited shall be available to the Secretary, without further appropriation, for expenditure in the Los Padres National Forest.

(g) PRE-EXISTING RIGHTS.—As a condition of the conveyance authorized under subsection (a), the Secretary shall require the White Lotus Foundation to continue to allow existing access to any roadway that may be conveyed by this Act.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this Act as the Secretary considers appropriate to protect the interests of the United States.

(i) SURVEY AND ADMINISTRATIVE COSTS.—The White Lotus Foundation shall pay the reasonable costs of survey, appraisal, and any other administrative costs associated with the conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. BROWN) 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.