

preserve all the species in the home of these horses.

I thank Mr. JONES for his work in support of the Currituck National Wildlife Refuge and urge adoption of H.R. 306.

I reserve the balance of my time.

□ 1640

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the author of this legislation, the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Chairman, thank you very much for the time. To the ranking member, thank you for your comments as well.

As has already been stated, H.R. 306 would provide for a new public-private management plan for the free roaming Corolla wild horses of North Carolina's Outer Banks—at no cost to our taxpayers.

The Corolla wild horses are Colonial Spanish Mustangs that can be traced back to the Spanish explorers on the Outer Banks in the 16th century. They've survived in the wild for over 400 years and roam across 7,500 acres of public and private land in coastal Currituck County, North Carolina.

Under the existing management agreement between the Interior Department, the State of North Carolina, Currituck County, and the nonprofit Corolla Wild Horse Fund, the maximum number of horses allowed in the herd is 60. Equine genetic scientists believe the number of 60 threatens the herd's existence due to high levels of inbreeding and low levels of genetic diversity.

To address this issue, H.R. 306 would require a new management plan to allow a herd of no less than 110 horses and no more than 130 horses. 110 is the minimum number that leading equine genetic scientist Dr. Gus Cothran of Texas A&M University has found to be necessary to maintain the herd's genetic viability. It is important to note that these numbers are well within the carrying capacity of the land these horses call home. To improve the herd's genetics, the bill would allow for the limited introduction of wild horses from the related herd at Cape Lookout National Seashore.

I would like to emphasize that H.R. 306 requires the Corolla Wild Horse Fund, not the Federal Government, to pay for managing the horses. The fund is a thriving nonprofit with an annual budget of over \$400,000 that is growing each and every year. They already pay the costs of managing the horses, and they will continue to do so under this bill. Confirming this point, the CBO score on H.R. 306 found "the Federal Government would incur no significant additional costs to manage or mitigate the effects of horses on the refuge."

H.R. 306 is similar to another bipartisan bill that was made reference to a while ago that I authored to create a public-private partnership to save the wild horses of Shackleford Banks in

Cape Lookout National Seashore. That legislation was passed by the Republican House in 1998 and was signed into law by President Bill Clinton. I want to, at this time, acknowledge for the record that his Chief of Staff, Erskine Bowles, was instrumental in that bill's becoming law.

Mr. Speaker, the Corolla wild horses are a key part of North Carolina's heritage and an important element of the Outer Banks' economy. In fact, they're the North Carolina State horse. H.R. 306 has broad bipartisan support, and I want to thank both parties for that support. Among others, it is supported by North Carolina Governor Bev Perdue, Currituck County and the local community, the Corolla Wild Horse Fund, the Humane Society, the American Society for Prevention of Cruelty to Animals, the Animal Welfare Institute, and the Foundation for Shackleford Horses.

Mr. Speaker, in closing, I make reference to these posters. As you can well see, these horses have their own heritage. They are absolutely wonderful, beautiful animals, and many times on the coast of North Carolina, when these horses are standing in the ocean with their foal, you will see those tourists come right up to the horse and to the foal and pet them. These horses are part of our heritage, and I thank both parties for passing this bill as I hope that we will pass this bill today.

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

Mr. HASTINGS of Washington. I urge the passage of this important piece of legislation for North Carolina, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 306, as amended.

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

A motion to reconsider was laid on the table.

#### NEW YORK CITY NATURAL GAS SUPPLY ENHANCEMENT ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2606) to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2606

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "New York City Natural Gas Supply Enhancement Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ENTITY.—The term "entity" means an entity holding a permit issued under this Act.

(2) LEASE.—The term "lease" means an agreement that authorizes the occupancy and use of certain designated premises for facilities associated with the project, particularly a meter and regulating station.

(3) NATURAL GAS PIPELINE FACILITIES.—The term "natural gas pipeline facilities" means pipeline and related equipment necessary for the transmission and distribution of natural gas, such as meters and heating and pressure-regulating devices used in the transportation of natural gas.

(4) PERMIT.—The term "permit" means any permits, rights-of-way, or any other authorizations necessary for the Secretary to authorize the construction, operation, and maintenance of natural gas pipeline facilities in the Gateway National Recreation Area.

(5) PROJECT.—The term "project" means the natural gas pipeline facilities within Gateway National Recreation Area, including the meter and regulating station to be located at Floyd Bennett Field, that are part of the Rockaway Delivery Lateral/Brooklyn Queens Interconnect Project, as further described in Federal Energy Regulatory Commission (FERC) Docket No. PF09-8, and including authorized revisions to the project.

(6) RENT.—The term "rent" means any payment to the Secretary pursuant to a lease for occupancy and use of designated premises to be made in such a manner and at such intervals as determined by the Secretary.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

#### SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS PIPELINE FACILITIES.

(a) IN GENERAL.—The Secretary may issue permits to authorize the construction, operation, and maintenance of natural gas pipeline facilities, as provided by the project, within Gateway National Recreation Area.

(b) TERMS AND CONDITIONS.—

(1) Any rights-of-way or other permits issued for the natural gas pipeline facilities under this section shall be consistent with the laws and regulations generally applicable to utility rights-of-way within units of the National Park System.

(2) Any permits issued under this section for the natural gas pipeline facilities shall be subject to such terms and conditions the Secretary deems appropriate.

(3) The Secretary shall charge a fee for any permits issued under this section. The fees shall be based on fair market value and shall also include costs incurred by the National Park Service in processing a request for a permit; issuing a permit, if appropriate; and monitoring the permitted activities.

(4) Any permits issued under this section shall be for a term of 10 years, subject to renewal with any changes to its terms and conditions mutually agreed upon.

(c) ENFORCEMENT.—Failure to comply with, or a violation of, any term or condition of a permit may result in a citation, or fine, or the suspension or revocation of authorization to conduct the permitted activity.

#### SEC. 4. LEASE OF BUILDINGS.

The Secretary may enter into a non-competitive lease with any entity to allow the occupancy and use of buildings and associated properties on Floyd Bennett Field to house facilities associated with the project, particularly a meter and regulating station. Such lease shall—

(1) otherwise be subject to National Park Service leasing regulations;

(2) provide for the restoration and maintenance of the buildings and associated properties in accordance with the Secretary of the Interior's Treatment Standards for Historic Property (36 CFR Part 68), section 106 of the National Historic Preservation Act (36 CFR 800), and any programmatic agreements;

(3) provide for appropriate rent for occupancy and use of the property representing, at minimum but not limited to, fair market value; and

(4) provide for monetary penalties for violations of the lease.

#### SEC. 5. FEES AND RENT.

(a) FEES.—The Secretary shall retain the portion of any fee assessed under section 3(b)(3) that is equal to the costs incurred in processing and issuing the permit request and monitoring the permitted activities, and the balance of the fee shall be deposited in the Treasury of the United States.

(b) RENT.—Any rent collected pursuant to section 4 shall be deposited in a special account in the Treasury of the United States in accordance with section 3(k)(5) of Public Law 91-383 (16 U.S.C. 1a-2(k)(5)) and shall be available to the Secretary, without further appropriation and without fiscal year limitation, for infrastructure needs, resource protection, and visitor services at the Gateway National Recreation Area.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2606, introduced by the gentleman from New York (Mr. GRIMM), authorizes the construction of a lateral pipeline off the coast of New York City. The pipeline will pass under the Gateway National Recreation Area and will deliver natural gas to residents of Brooklyn and Queens. Under current law, the National Park Service does not have the authority to approve the pipeline. Therefore, Mr. GRIMM introduced H.R. 2606 to allow this project to move forward, benefiting not only New York residents but visitors to the Gateway National Recreation Area. Specifically, as part of the agreement reached with the National Park Service, historic aircraft hangars located at Floyd Bennett Field will be rehabilitated and put into use by the park. Of course, this project will also create much-needed jobs and promote job creation by providing reliable, affordable energy.

The City of New York has enthusiastically embraced this proposal and, in particular, has expressed support for

the use of the horizontal directional drilling to safely install a 3-mile, 26-inch-diameter pipeline. H.R. 2606 has bipartisan support, and of course it is supported by the National Park Service. So I urge its adoption and reserve the balance of my time.

Mr. SABLÁN. Mr. Speaker, I yield myself as much time as I may consume.

This legislation appears to be a good solution to a challenging problem. H.R. 2606 will allow for the delivery of natural gas into an underserved area while also providing a revenue stream that will allow the National Park Service to rehabilitate important historic structures at Gateway National Recreation Area.

Representatives GRIMM and MEEKS, who represent Gateway, are to be commended for their hard work on this compromise bill.

In the past, some have raised concerns regarding whether it is appropriate for Congress to direct funding to specific projects such as this one. We are pleased to see that when a meritorious project such as this one is proposed, a project which will provide energy resources while also improving historic resources, it is allowed to proceed.

We support the passage of H.R. 2606, as amended, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the sponsor of this legislation, the gentleman from Staten Island, New York (Mr. GRIMM).

Mr. GRIMM. I appreciate the opportunity to speak in support of my bill, H.R. 2606, the New York City Natural Gas Supply Enhancement Act.

This bill, as was said, will authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the New York portion of the Gateway National Recreation Area.

I would like to especially thank my colleague and cosponsor and friend, Congressman GREGORY MEEKS, for all of his efforts. It was a pleasure to work with him in a bipartisan manner, and we appreciate his staff as well.

We would like to thank Natural Resources Chairman HASTINGS, Ranking Member MARKEY, Subcommittee Chairman BISHOP, Ranking Member GRIMALVA, and their staffs for helping move our bill through the committee and on a bipartisan basis for their work with the National Park Service in strengthening the bill as it moved to the House floor.

The National Park Service deserves our appreciation as well for all of its efforts over the years for improving the Gateway National Recreation Area and, in particular, for reviving the historic Floyd Bennett Field for future generations.

This project will be the first bulk natural gas transmission project in Brooklyn, Staten Island, and Queens in more than 40 years. The 5.2 million

people living in these three boroughs are demanding more and more natural gas. Natural gas, as we all know, is reliable; it's clean; it's domestic; and it's economical.

On September 15 of last year, New York City Deputy Mayor Cas Holloway testified before the National Parks Subcommittee and, in support of the Grimm-MEEKS bill, explained why it was so important. I would like to thank Mr. Holloway, the deputy mayor, for his efforts, and I would like to draw special attention to some of his testimony.

□ 1650

Deputy Mayor Holloway stated: "Energy demand in New York City is increasing and will continue to grow," so getting this Gateway project done, as Deputy Mayor Holloway said, "is a major effort that includes the private sector, the city, State, and Federal Governments."

This pipeline will pass underneath both Gateway's beachfront Jacob Riis Park in Queens and Jamaica Bay to the meter station located at Floyd Bennett Field in Brooklyn where it will then interconnect into the local natural gas distribution system serving the communities in and around my district.

The pipeline project authorized in H.R. 2606 will help the Park Service in the face of severe fiscal constraints by authorizing the NPS to enter into a lease, which will allow the Gateway pipeline project to meter and regulate a station inside one of the hangar buildings. The meter station is basically a secure building inside a building with a hangar building's exterior being restored to its original condition coupled with a lease payment that we expect NPS to put towards the restoration of other hangar buildings for multipurpose park uses. More importantly, however, is the fact that the Gateway pipeline project will generate approximately \$265 million in construction activity. That's almost 300 local jobs—300 construction jobs—and that's about \$8 million in annual local property taxes for New York City, providing a much-needed short-term and long-term boost to our local economy.

When I came to Congress, I promised my constituents on Staten Island and in Brooklyn that I would find fiscally conservative ways to create jobs and get the country moving again. Mr. Speaker, this bill does exactly that. Not only will it create a unique public-private partnership to revitalize Floyd Bennett Field, but it also creates good-paying jobs and increases the supply of inexpensive natural gas.

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

Mr. HASTINGS of Washington. I urge the adoption of H.R. 2606, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the

rules and pass the bill, H.R. 2606, 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. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### QUILEUTE TRIBE TSUNAMI PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1162

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

#### SECTION 1. OLYMPIC NATIONAL PARK — QUILEUTE TRIBE.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “Olympic National Park and Quileute Reservation Boundary Adjustment Map”, numbered 149/80,059, and dated June 2010.

(2) PARK.—The term “Park” means the Olympic National Park, located in the State of Washington.

(3) RESERVATION.—The term “Reservation” means the Quileute Indian Reservation, located on the Olympic Peninsula in the State of Washington.

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

(5) TRIBE.—The term “Tribe” means the Quileute Indian Tribe in the State of Washington.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the Reservation is located on the western coast of the Olympic Peninsula in the State of Washington, bordered by the Pacific Ocean to the west and the Park on the north, south, and east;

(B) most of the Reservation village of La Push is located within the coastal flood plain, with the Tribe’s administrative buildings, school, elder center, and housing all located in a tsunami zone;

(C) for many decades, the Tribe and the Park have had a dispute over the Reservation boundaries along the Quillayute River;

(D) in recent years, this dispute has intensified as the Tribe has faced an urgent need for additional lands for housing, schools, and other Tribe purposes outside the tsunami and Quillayute River flood zones; and

(E) the lack of a settlement of this dispute threatens to adversely impact the public’s existing and future recreational use of several attractions in the Park that are accessed by the public’s use of Reservation lands.

(2) PURPOSES.—The purposes of this Act are—

(A) to resolve the longstanding dispute along portions of the northern boundary of the Quileute Indian Reservation;

(B) to clarify public use and access to Olympic National Park lands that are contiguous to the Reservation;

(C) to provide the Quileute Indian Tribe with approximately 275 acres of land currently located within the Park and approximately 510 acres of land along the Quillayute River, also within the Park;

(D) to adjust the wilderness boundaries to provide the Quileute Indian Tribe Tsunami and flood protection; and

(E) through the land conveyance, to grant the Tribe access to land outside of tsunami and Quillayute River flood zones, and link existing Reservation land with Tribe land to the east of the Park.

(c) REDESIGNATION OF FEDERAL WILDERNESS LAND, OLYMPIC NATIONAL PARK CONVEYANCE.—

(1) REDESIGNATION OF WILDERNESS.—Certain Federal land in the Park that was designated as part of the Olympic Wilderness under title 1 of the Washington Park Wilderness Act of 1988 (Public Law 100-668; 102 Stat. 3961; 16 U.S.C. 1132 note) and comprises approximately 222 acres, as generally depicted on the Map is hereby no longer designated as wilderness, and is no longer a component of the National Wilderness Preservation System under the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) LANDS TO BE HELD IN TRUST.—All right, title, and interest of the United States in and to the approximately 510 acres generally depicted on the Map as “Northern Lands”, and the approximately 275 acres generally depicted on the Map as “Southern Lands”, are declared to be held in trust by the United States for the benefit of the Tribe without any further action by the Secretary.

(3) BOUNDARY ADJUSTMENT; SURVEY.—The Secretary shall—

(A) adjust the boundaries of Olympic Wilderness and the Park to reflect the change in status of Federal lands under paragraph (2); and

(B) as soon as practicable after the date of enactment of this section, conduct a survey, defining the boundaries of the Reservation and Park, and of the Federal lands taken into and held in trust that are adjacent to the north and south bank of the Quillayute River as depicted on the Map as “Northern Lands”.

(4) LAW APPLICABLE TO CERTAIN LAND.—The land taken into trust under this subsection shall not be subject to any requirements for valuation, appraisal, or equalization under any Federal law.

(d) NON-FEDERAL LAND CONVEYANCE.—Upon completion and acceptance of an environmental hazard assessment, the Secretary shall take into trust for the benefit of the Tribe certain non-Federal land owned by the Tribe, consisting of approximately 184 acres, as depicted on the Map as “Eastern Lands”, such non-Federal land shall be designated as part of the Reservation.

(e) MAP REQUIREMENTS.—

(1) AVAILABILITY OF INITIAL MAP.—The Secretary shall make the Map available for public inspection in appropriate offices of the National Park Service. The Map shall also depict any non-Federal land currently owned by the Tribe which is being placed in trust under this section.

(2) REVISED MAP.—Not later than one year after the date of the land transaction in subsections (d) and (e), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and Committee on Natural Resources of the House of Representatives a revised map that depicts—

(A) the Federal and non-Federal land taken into trust under this section and the Second Beach Trail; and

(B) the actual boundaries of the Park as modified by the land conveyance.

(f) JURISDICTION.—The land conveyed to the Tribe by this section shall be designated as part of the Quileute Reservation and placed in the following jurisdictions:

(1) TRUST LAND.—The same Federal, State, and Tribe jurisdiction as on all other trust lands within the Reservation, so long as the exercise of such jurisdiction does not conflict with the

terms of the easement described in subsection (g) below.

(2) TRIBE JURISDICTION.—Park visitors shall remain subject to the jurisdiction of the Tribe while on the Second Beach parking lot, on those portions of the Second Beach Trail on the Reservation, and Rialto Spit, to the same extent that such visitors are subject to the Tribe’s jurisdiction elsewhere on the Reservation.

(g) GRANT OF EASEMENT IN CONNECTION WITH LAND CONVEYANCE.—

(1) EASEMENT REQUIRED.—The conveyances under subsection (c)(2) shall be subject to the conditions described in this subsection.

(2) REQUIRED RIGHTS UNDER EASEMENT.—Any easement granted under this subsection must contain the following express terms:

(A) NO IMPACT ON EXISTING RIGHTS.—An easement shall not limit the Tribe’s treaty rights or other existing rights.

(B) RETENTION OF RIGHTS.—The Tribe retains the right to enforce its rules against visitors for disorderly conduct, drug and alcohol use, use or possession of firearms, and other disruptive behaviors.

(C) MONITORING OF EASEMENT CONDITIONS.—The Park has the right, with prior notice to the Tribe, to access lands conveyed to the Tribe for purposes of monitoring compliance with any easement made under this subsection.

(3) EXEMPTION FOR SUBSECTION (d) LAND.—The non-Federal land owned by the Tribe and being placed into trust by the Secretary in accordance with subsection (d) shall not be included in, or subject to, any easement or condition specified in this subsection.

(4) REQUIRED TERMS AND CONDITIONS.—The following specified land areas shall be subject to the following easement conditions:

(A) CONDITIONS ON NORTHERN LAND.—Certain land that will be added to the northern boundary of the Reservation by the land conveyance, from Rialto Beach to the east line of Section 23, shall be subject to an easement, which shall contain the following requirements:

(i) The Tribe may lease or encumber the land, consistent with their status as trust lands, provided that the Tribe expressly subjects the conveyance or authorized use to the terms of the easement.

(ii) The Tribe may place temporary, seasonal camps on the land, but shall not place or construct commercial residential, industrial, or other permanent buildings or structures.

(iii) Roads on the land on the date of enactment of this Act may be maintained or improved, but no major improvements or road construction may occur, and any road improvements, temporary camps, or other uses of these lands shall not interfere with its use as a natural wildlife corridor.

(iv) The Tribe may authorize Tribe members and third parties to engage in recreational, ceremonial, or treaty uses of the land provided that the Tribe adopts and enforces regulations permanently prohibiting the use of firearms in the Thunder Field area, and any areas south of the Quillayute River as depicted on the Map.

(v) The Tribe may exercise its sovereign right to fish and gather along the Quillayute River in the Thunder Field area.

(vi) The Tribe may, consistent with any applicable Federal law, engage in activities reasonably related to the restoration and protection of the Quillayute River and its tributaries and streams, weed control, fish and wildlife habitat improvement, Quillayute River or streambank stabilization, and flood control. The Tribe and the Park shall conduct joint planning and coordination for Quillayute River restoration projects, including streambank stabilization and flood control.

(vii) Park officials and visitors shall have access to engage in activities along and in the Quillayute River and Dickey River that are consistent with past recreational uses, and the Tribe shall allow the public to use and access the Dickey River, and Quillayute River along