

broken in California, where a GMO labeling initiative is on the ballot. Here in Congress my legislation, H.R. 3553, will provide for a national labeling bill.

Americans have a right to know if their food is genetically engineered. It's time for labeling. It's time for people to know how their food is being produced.

#### TIME FOR A DIVORCE WITH PAKISTAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the United States granted Pakistan major non-NATO ally status to help us fight al Qaeda and the Taliban. This status gives special foreign aid and defense benefits such as an expedited arms sales process. But Pakistan has proved it's no friend to America.

Pakistan said "no" when we asked it to go after the terrorist havens. Pakistan twice tipped off terrorists making IEDs that kill Americans. Pakistan's intelligence arm, the ISI, helped the Haqqani network, a designated foreign terrorist organization, to attack our embassy. Pakistan arrested and convicted the doctor who helped us locate Osama bin Laden, the world's number one terrorist.

I believe some of the money that we have given them goes to the Taliban, but Pakistan has given us no reason to trust them. They are a disloyal ally, a Benedict Arnold friend.

I've introduced H.R. 6391 to strip Pakistan of its major non-NATO ally status. We don't need to pay Pakistan to betray us. They will do it for free.

Time for a divorce with Pakistan.

And that's just the way it is.

#### FOUR STRAIGHT YEARS OF TRILLION DOLLARS DEFICITS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President has burdened the Nation with 4 straight years of trillion dollar deficits and has added more than \$5 trillion to our national defense. His failed policies have done nothing but make our economy worse. Now he wants to turn our debt crisis into a defense crisis. The President's own Secretary of Defense has said the looming half-trillion dollars in defense cuts would "hollow out the force and inflict severe damage to our national defense."

So far the President has refused to offer any alternatives whatever. House Republicans remain committed to slashing spending and reducing the deficit but not by arbitrarily cutting funding that supports our troops and their families. That's why we passed specific, commonsense reforms to replace these dangerous cuts.

It's time for the President to help us rescue our Nation's defenders from these imminent cuts before they take

effect and our national security is further compromised.

□ 1410

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### ENDANGERED FISH RECOVERY PROGRAMS EXTENSION ACT OF 2012

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6060) to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6060

*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 "Endangered Fish Recovery Programs Extension Act of 2012".

#### SEC. 2. EXTENSIONS OF AUTHORITY UNDER PUBLIC LAW 106-392; REPORT.

Section 3(d)(2) of Public Law 106-392 is amended—

(1) by striking "2011" each place it appears and inserting "2019";

(2) by striking "2008" and inserting "2018"; and

(3) by inserting before "Nothing in this Act" the following: "Such report shall also describe the Recovery Implementation Programs actions and accomplishments to date, the status of the endangered species of fish and projected dates for downlisting and delisting under the Endangered Species Act of 1973, and the utilization of power revenues for annual base funding."

#### SEC. 3. INDIRECT COST RECOVERY RATE FOR RECOVERY PROGRAMS.

Section 3 of Public Law 106-392 is amended by adding at the end the following new subsection:

"(i) LIMITATION ON INDIRECT COST RECOVERY RATE.—The indirect cost recovery rate for any transfer of funds to the U.S. Fish and Wildlife Service from another Federal agency for the purpose of funding any activity associated with the Upper Colorado River Endangered Fish Recovery Program or the San Juan River Basin Recovery Implementation Program shall not exceed three percent of the funds transferred. In the case of a transfer of funds for the purpose of funding activities under both programs, the limitation shall be applied to the funding amount for each program and may not be allocated unequally to either program, even if the average aggregate indirect cost recovery rate would not exceed three percent."

#### SEC. 4. LIMITATION ON TRAVEL FOR ADVOCACY PURPOSES.

At the end of Public Law 106-392, add the following new section:

#### "SEC. 5. LIMITATION ON TRAVEL FOR ADVOCACY PURPOSES.

"No Federal funds may be used to cover any expenses incurred by an employee or detailee of the Department of the Interior to travel to any location (other than the field office to which that individual is otherwise assigned) to advocate, lobby, or attend meetings that advocate or lobby for the Recovery Implementation Programs."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

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

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

There was no objection.

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

This is a good bill. It's got a great sponsor. Everyone should vote for it.

I reserve the balance of my time.

Mr. GRIJALVA. I yield myself such time as I may consume.

H.R. 6060 authorizes the use of power revenues to fund two recovery programs in the Upper Colorado and San Juan Rivers. Since 2011, Reclamation has continued to fund these programs at a cost of about \$3 million annually, using its existing authority.

We support the intent of H.R. 6060 to recover listed species while allowing water and power operations to continue. We share the administration's commitment to this program. We also welcome the majority's recognition that compliance with the Endangered Species Act does not mean that water and power projects in the West go dry or go dark. This program provides ESA compliance for 2,320 water projects. These projects deliver more than 3.7 million acre-feet of water per year to Wyoming, Utah, Colorado, Arizona, and New Mexico.

We are concerned, however, that the Republican rules only allow for the reauthorization of this program to 2019 versus the original goal of 2023. While we agree this legislation should move, it should be clear that, at least on our side of the aisle, our commitment to this program through 2023 has not changed.

I reserve the balance of my time.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to my colleague who shares a border with me in our districts, the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank Chairman BISHOP for yielding. Chairman BISHOP, I would also like to thank you for your leadership in leading the efforts on this important piece of legislation.

The Upper Colorado and San Juan River Basins provide key water and

power resources in the Third Congressional District of Colorado and other districts in Colorado, Wyoming, Utah, Arizona, and New Mexico. These rivers are also home to four native fish species at risk of a "jeopardy" finding under the Endangered Species Act. Such a finding would impose on western constituents dramatic losses in water availability and hydropower reduction, resulting in lost jobs and increased power rates at a time when we can least afford it.

The Endangered Fish Recovery Act of 2012 extending the authorization for the Upper Colorado and San Juan Fish Recovery Implementation programs will continue necessary efforts to recover four endangered fish species and provide compliance for Federal, tribal, and non-Federal water projects. These programs are supported by a broad swath of stakeholders, from local towns and counties to environmental groups and private industry, and are excellent examples of local solutions in lieu of onerous Federal management and overregulation.

I'm also pleased to see the cost reforms in this extended authorization. H.R. 6060 limits overhead to 3 percent and prohibits Federal employees from traveling to Washington, D.C., to lobby for their programs—activities well beyond the bounds of their purview. These cost savings and their measures will allow for greater allocation of resources to species recovery.

I'm optimistic that these programs can reach their goals in the coming year, recover the species in jeopardy, and safeguard the economic well-being of our communities, jobs, and everything connected with these efforts.

Mr. GRIJALVA. I yield back the balance of my time.

Mr. BISHOP of Utah. I think some of my staff thought I should be a little bit more expansive in my remarks. So this is a really good bill with a really good sponsor.

Actually, this is one of those things where the nice part is, for this mitigation plan that will allow these projects to go forward, taxpayers are paying no money. It's paid by the utility ratepayers of this particular area. If this is not reauthorized, it may put that part in jeopardy. And we did put some guidelines in there to protect so that the overhead that can be charged to the utility ratepayers has a potential limit on it.

It's a good bill. With that, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 6060.

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

A motion to reconsider was laid on the table.

## MESCALERO APACHE TRIBE LEASING AUTHORIZATION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1461) to authorize the Mescalero Apache Tribe to lease adjudicated water rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1461

*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 "Mescalero Apache Tribe Leasing Authorization Act".

### SEC. 2. DEFINITIONS.

In this Act:

(1) ADJUDICATED WATER RIGHTS.—The term "adjudicated water rights" means water rights that were adjudicated to the Tribe in *State v. Lewis*, 116 N.M. 194, 861 P. 2d 235 (1993).

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) STATE.—The term "State" means the State of New Mexico.

(4) TRIBE.—The term "Tribe" means the Mescalero Apache Tribe.

### SEC. 3. AUTHORIZATION TO LEASE ADJUDICATED WATER RIGHTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, subject to subsections (b) and (c), the Tribe may lease, enter into a contract with respect to, or otherwise transfer to another party, for another purpose, or to another place of use in the State, all or any portion of the adjudicated water rights.

(b) STATE LAW.—In carrying out any action under subsection (a), the Tribe shall comply with all laws (including regulations) of the State with respect to the leasing or transfer of water rights.

(c) ALIENATION; MAXIMUM TERM.—

(1) ALIENATION.—The Tribe shall not permanently alienate any adjudicated water rights.

(2) MAXIMUM TERM.—The term of any water use lease, contract, or other agreement under this section (including a renewal of such an agreement) shall be not more than 99 years.

(d) LIABILITY.—The Secretary shall not be liable to the Tribe or any other person for any loss or other detriment resulting from a lease, contract, or other arrangement entered into pursuant to this section.

(e) PURCHASES OR GRANTS OF LAND FROM INDIANS.—The authorization provided by this Act for the leasing, contracting, and transfer of the adjudicated water rights shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(f) PROHIBITION ON FORFEITURE.—The non-use of all or any portion of the adjudicated water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the adjudicated water rights.

(g) APPLICABILITY.—This Act shall not apply to leasing, contracting, or transfer of the adjudicated water rights on the Tribe's reservation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

### GENERAL LEAVE

Mr. BISHOP of Utah. 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 Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield such time as he may consume to the author of this particular bill, who does a great job in representing his constituents—and this is one of those examples—the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. This bill is straightforward and simple. It allows the Mescalero Apache Indian Tribe to permit or lease or transfer their water rights for a term up to 99 years. The courts decided that they would have these rights back in 1993, but we need the legislation that would permit it. This effort is bipartisan. It's even pursued in both the House and the Senate—Senator BINGAMAN has a bill—so it's non-controversial. It simply does the right thing. It's important. It allows the tribe self-determination and it also gives them economic opportunities. The leasing of the water rights will provide them with revenues that they desperately need.

It's for the best interest of all New Mexicans. During this current drought, water is of scarce supply in New Mexico, and this would allow the tribe to lease water to communities that are desperately needing water at this point. It's important to the tribes. It's important to New Mexico.

I recommend that all vote for H.R. 1461, and urge its passage.

Mr. GRIJALVA. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1461, legislation that would authorize the Mescalero Apache Tribe of New Mexico to lease its adjudicated and quantified water rights for up to 99 years, pursuant to State law.

There is a tremendous need for water in south central New Mexico among the Mescalero Apache Tribe's non-Indian neighbors. The tribe has approximately 2,300 acre-feet of water to meet this need, which it is ready to lease to the surrounding communities. Revenue generated by such leasing would be used to fund basic tribal government services such as a senior care center, infrastructure development, and academic scholarships.

Because the tribe's water rights were quantified by adjudication, legislation is necessary to authorize the tribe to lease its water. H.R. 1416 provides this simple authorization that would not only make the tribe's valuable resource available to those in need, but also give the tribe a much-needed source of additional government revenue.

During the subcommittee hearing on the bill the administration expressed concern that H.R. 1461 did not limit tribal authority for leasing water to off-reservation locations and that such a clarification was needed to prevent