

That the Senate passed without amendment H.R. 6116.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 14, 2012.

Hon. JOHN A. BOEHNER,  
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on December 14, 2012, at 2:47 p.m., and said to contain a message from the President whereby he transmits the District of Columbia's FY 2013 Budget and Financial Plan.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
Clerk of the House.

#### DISTRICT OF COLUMBIA'S FY 2013 BUDGET AND FINANCIAL PLAN— MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-157)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

*To the Congress of the United States:*

Pursuant to my constitutional authority and as contemplated by section 446 of the District of Columbia Self-Government and Governmental Reorganization Act as amended in 1989, I am transmitting the District of Columbia's fiscal year (FY) 2013 Budget and Financial Plan. This transmittal does not represent an endorsement of the contents of the D.C. government's requests.

The proposed FY 2013 Budget and Financial Plan reflects the major programmatic objectives of the Mayor and the Council of the District of Columbia. For FY 2013, the District estimates total revenues and expenditures of \$11.4 billion.

BARACK OBAMA.  
THE WHITE HOUSE, December 14, 2012.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1630

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 4 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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.

#### AUTHORIZING RIGHT-OF-WAY FOR NATURAL GAS PIPELINES IN GLACIER NATIONAL PARK

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4606) to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4606

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

#### SECTION 1. PERMITS FOR EXISTING NATURAL GAS PIPELINES.

(a) *IN GENERAL.*—The Secretary of the Interior may issue right-of-way permits for each natural gas pipeline (including all appurtenances used in the operation of the natural gas pipeline) that, as of March 1, 2012, is located within the boundary of Glacier National Park.

(b) *TERMS AND CONDITIONS.*—A permit issued under subsection (a) shall be—

(1) issued as a right-of-way renewal, consistent with laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(2) for a width of not more than 25 feet on either side of the centerline of the natural gas pipeline; and

(3) subject to any terms and conditions that the Secretary of the Interior determines to be necessary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) 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. I yield myself such time as I may consume.

Let me also as we begin this debate I would yield such time as he may consume to the gentleman from Montana whose bill this is that will talk about a power company decision that in 1962 was allowed and then in 1990 the Park Service determined they couldn't do what they already had done and now it has to be fixed.

So, Mr. Speaker, I would yield as much time as he may consume to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. I thank the gentleman from Utah for very concisely summarizing just exactly what this bill does.

I rise in support of H.R. 4606, which I have introduced. This commonsense legislation would permit the necessary safety maintenance of a natural gas pipeline that was constructed in 1962. Ordinary maintenance of the pipeline, which is the sole source of natural gas for nearly 25,000 residents in the Flathead Valley of Montana, is being prevented by red tape. About 3½ miles of this 118-mile pipeline follow U.S. Highway 2 through the southwestern border of Glacier National Park.

The National Park Service is allowed to issue an easement over lands in the park for specific purposes, including electric transmission lines and communications services. But the specific uses listed do not include natural gas lines; so under current law, they can't allow maintenance.

The law also authorizes the Federal Government to issue rights-of-way for natural gas lines—just not in national parks. And so this tiny stretch of existing pipeline, which is so critical to so many Montanans, finds itself between a legal rock and a bureaucratic hard place. Allowing maintenance of the existing pipeline is too important for further delay.

Not only is the pipeline nestled in and around Glacier National Park; but it is also near the Middle Fork of the Flathead River, which is designated as a wild and scenic river and the Great Bear Wilderness Area. An accident due to a lack of maintenance would be devastating to the local ecosystem.

Moving the line outside the park would require further harm to the surrounding environment, and it makes sense for the pipeline to use the existing roadbed for Highway 2 in order to minimize the economic impact.

My legislation simply solves this government-made problem by allowing the National Park Service to allow maintenance on the pipeline. I urge my colleagues to support this legislation.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SABLAN asked and was given permission to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, H.R. 4606 clarifies that the National Park Service may issue right-of-way permits for a natural gas pipeline in Glacier National Park. The pipeline already exists in the park, and the legislation

provides appropriate easements for access by Northwestern Energy.

Senator TESTER first introduced this legislation in March of this year. We do not object to this legislation, Mr. Speaker, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I have only myself as the final speaker we have over here. I was wondering if there are any other speakers from the minority side.

Mr. SABLON. No, I don't, Mr. Speaker, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, in closing on this, this is a piece of legislation that is just common sense and blindingly necessary. At risk, if it is not passed, are 25,000 people, citizens of Montana, who would be without this kind of natural gas service, as well as Glacier National Park that would be without this kind of service. It's something that needs to be done, it should have been done a long time ago, and it needs to be changed to allow the Park Service to be doing what it naturally should be doing. I urge all my colleagues to support this particular bill.

With that, 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. 4606, 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. BISHOP of Utah. 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, further proceedings on this question will be postponed.

#### BARONA BAND OF MISSION INDIANS LAND TRANSFER CLARIFICATION ACT OF 2012

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3193) to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3193

*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 "Barona Band of Mission Indians Land Transfer Clarification Act of 2012".

#### SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the legal description of land previously taken into trust by the United States for the benefit of the Barona Band of Mission Indians may be interpreted to refer to private, nontribal land;

(2) there is a continued, unresolved disagreement between the Barona Band of Mis-

sion Indians and certain off-reservation property owners relating to the causes of diminishing native groundwater;

(3) Congress expresses no opinion, nor should an opinion of Congress be inferred, relating to the disagreement described in paragraph (2); and

(4) it is the intent of Congress that, if the land described in section 121(b) of the Native American Technical Corrections Act of 2004 (118 Stat. 544) (as amended by section 3) is used to bring water to the Barona Indian Reservation, the effort is authorized only if the effort also addresses water availability for neighboring off-reservation land located along Old Barona Road that is occupied as of the date of enactment of this Act by providing guaranteed access to that water supply at a mutually agreeable site on the southwest boundary of the Barona Indian Reservation.

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

(1) to clarify the legal description of the land placed into trust for the Barona Band of Mission Indians in 2004; and

(2) to remove all doubt relating to the specific parcels of land that Congress has placed into trust for the Barona Band of Mission Indians.

#### SEC. 3. LAND TRANSFER.

Section 121 of the Native American Technical Corrections Act of 2004 (Public Law 108-204; 118 Stat. 544) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is land comprising approximately 86.87 acres in T. 14 S., R. 1 E., San Bernardino Meridian, San Diego County, California, and described more particularly as follows:

“(1) The approximately 69.85 acres located in Section 21 and described as—

“(A) SW¼ SW¼, excepting the north 475 feet;

“(B) W½ SE¼ SW¼, excepting the north 475 feet;

“(C) E½ SE¼ SW¼, excepting the north 350 feet; and

“(D) the portion of W½ SE¼ that lies southwesterly of the following line: Beginning at the intersection of the southerly line of said SE¼ of Section 21 with the westerly boundary of Rancho Canada De San Vicente Y Mesa Del Padre Barona as shown on United States Government Resurvey approved January 21, 1939, and thence northwesterly along said boundary to an intersection with the westerly line of said SE¼.

“(2) The approximately 17.02 acres located in Section 28 and described as NW¼ NW¼, excepting the east 750 feet.”; and

(2) by adding at the end the following:

“(d) CLARIFICATIONS.—

“(1) EFFECT ON SECTION.—The provisions of subsection (c) shall apply to the land described in subsection (b), as in effect on the day after the date of enactment of the Barona Band of Mission Indians Land Transfer Clarification Act of 2012.

“(2) EFFECT ON PRIVATE LAND.—The parcel of private, non-Indian land referenced in subsection (a) and described in subsection (b), as in effect on the day before the date of enactment of the Barona Band of Mission Indians Land Transfer Clarification Act of 2012, but excluded from the revised description of the land in subsection (b) was not intended to be—

“(A) held in trust by the United States for the benefit of the Band; or

“(B) considered to be a part of the reservation of the Band.”.

Passed the Senate September 22 (legislative day, September 21), 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

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

This particular bill corrects an error that was made in 2004 under an act of Congress under which land that was intended to be placed in trust for the Barona Band of Mission Indians in California. That law that was improperly written—amazing—gave a written legal description of the trust land that contained several mistakes. The unfortunate result was to put Congress on record as declaring that non-Indian private property is to be held in trust rather than the tribe's property.

This action placed a cloud on the title of the non-Indians' property and frustrated the tribe's effort to use the lands that Congress intended to place in trust for its benefit. However, this lagan attached to a buoy is able to be retrieved at this time and fixed in this particular piece of legislation.

Senate bill 3193 corrects this error, clearing the title to the non-Indians' property and affirming the trust status of the correct lands. The subcommittee on the Interior and Alaskan Native Affairs held a legislative hearing on the bill, which the director of the BIA and the Barona Band affirmed that this bill does, indeed, solve these issues; and we have heard no objections in the course of this bill to this particular bill.

I want to commend the efforts of the gentleman from California, Congressman DUNCAN HUNTER. Mr. HUNTER has been instrumental in working with the tribe, the surrounding community, the sponsor, and the Natural Resources Committee to bring this bill to the final legislative step before sending it to the President for signing. I also want to thank him for allowing a Senate bill to be part of the solution so that they can actually do something over there.

This is a noncontroversial bill, I urge my colleagues to pass it, and I reserve the balance of my time.

□ 1640

Mr. SABLON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SABLON asked and was given permission to revise and extend his remarks.)

Mr. SABLON. Mr. Speaker, S. 3193, the Barona Band of Mission Indians