

Rohrabacher	Sherman	Vargas	Brooks (AL)	Hensarling	Polis	Griffith (VA)	Marchant	Renacci
Rokita	Shinkus	Veasey	Brown (FL)	Himes	Pompeo	Hanna	Matheson	Rice (SC)
Rooney	Shuster	Vela	Brownley (CA)	Hinojosa	Posey	Harris	Matsui	Rigell
Ros-Lehtinen	Simpson	Velázquez	Bustos	Holt	Price (NC)	Hartzler	McDermott	Roe (TN)
Roskam	Sinema	Visclosky	Butterfield	Horsford	Quigley	Heck (NV)	McGovern	Ros-Lehtinen
Ross	Slaughter	Wagner	Calvert	Huelskamp	Rangel	Holding	Meeks	Ruppersberger
Rothfus	Smith (MO)	Walberg	Camp	Huffman	Ribble	Honda	Miller (FL)	Sánchez, Linda T.
Roybal-Allard	Smith (NE)	Walden	Campbell	Hultgren	Richmond	Hoyer	Miller, George	Schakowsky
Royce	Smith (NJ)	Walorski	Cantor	Hunter	Rogers (AL)	Hudson	Moore	Slaughter
Ruiz	Smith (TX)	Walz	Capito	Hurt	Rogers (KY)	Huizenga (MI)	Mulvaney	Smith (MO)
Runyan	Smith (WA)	Wasserman	Capps	Issa	Rogers (MI)	Israel	Murphy (FL)	Stivers
Ruppersberger	Southerland	Schultz	Carney	Jackson Lee	Rohrabacher	Jeffries	Neal	Stockman
Ryan (OH)	Speier	Waters	Carter	Johnson (GA)	Rokita	Jenkins	Negrete McLeod	Swalwell (CA)
Ryan (WI)	Stewart	Watt	Cartwright	Johnson, Sam	Rooney	Johnson (OH)	Nolan	Terry
Salmon	Stivers	Weber (TX)	Cassidy	Jones	Roskam	Johnson, E. B.	Nugent	Thompson (CA)
Sánchez, Linda T.	Stockman	Webster (FL)	Kaptur	Kelly (IL)	Ross	Jordan	Palazzo	Thompson (MS)
Sanford	Stutzman	Welch	Kelly (PA)	Kelly (PA)	Rothfus	Joyce	Pallone	Thompson (PA)
Sarbanes	Swalwell (CA)	Wenstrup	Chabot	Kennedy	Roybal-Allard	Keating	Pastor (AZ)	Tierney
Scalise	Takano	Westmoreland	Chaffetz	Kildee	Royce	Kilmer	Paulsen	Turner
Schakowsky	Terry	Whitfield	Clay	King (IA)	Runyan	Kinzinger (IL)	Pearce	Valadao
Schiff	Thompson (CA)	Williams	Clyburn	King (NY)	Ryan (OH)	Kirkpatrick	Peters (CA)	Veasey
Schneider	Thompson (MS)	Wilson (FL)	Coble	Kingston	Ryan (WI)	Lance	Peters (MI)	Visclosky
Schock	Thompson (PA)	Wilson (SC)	Coffman	Kline	Salmon	Langevin	Peterson	Walberg
Schrader	Thornberry	Wittman	Cole	Kuster	Sanford	Larson (CT)	Pittenger	Walorski
Schweikert	Tiberi	Wolf	Collins (NY)	Labrador	Sarbanes	Latham	Pitts	Watt
Scott (VA)	Tierney	Womack	Conyers	LaMalfa	Scalise	Lee (CA)	Poe (TX)	Weber (TX)
Scott, David	Tipton	Woodall	Cook	Lamborn	Schiff	Lewis	Price (GA)	Wittman
Sensenbrenner	Titus	Yarmuth	Cooper	Lankford	Schneider	LoBiondo	Radel	Woodall
Serrano	Tonko	Yoder	Courtney	Larsen (WA)	Schock	Lynch	Rahall	Yoder
Sessions	Turner	Yoho	Cramer	Latta	Schrader	Maffei	Reed	
Sewell (AL)	Upton	Young (FL)	Crawford	Levin	Schweikert	Maloney, Carolyn	Reichert	
Shea-Porter	Valadao	Young (IN)	Crenshaw	Lipinski	Scott (VA)			
	Van Hollen		Cuellar	Loeb sack	Scott, David			
			Culberson	Lofgren	Sensenbrenner			
			Cummings	Long	Serrano			
			Daines	Lowenthal	Sessions			
			Davis (CA)	Lowey	Sewell (AL)			
			Davis, Danny	Lucas	Shea-Porter			
			DeGette	Luetkemeyer	Sherman			
			Delaney	Lujan Grisham (NM)	Shinkus			
			DeLauro	Lujan, Ben Ray (NM)	Shuster			
			DelBene	Lummis	Simpson			
			Dent	Marino	Sinema			
			DesJarlais	Massie	Smith (NE)			
			Deutch	McCarthy (CA)	Smith (NJ)			
			Diaz-Balart	McClintock	Smith (TX)			
			Doggett	McCollum	Smith (WA)			
			Doyle	McHenry	Southerland			
			Duncan (SC)	McIntyre	Speier			
			Duncan (TN)	McKeon	Stewart			
			Edwards	McKinley	Stutzman			
			Ellison	McMorris	Takano			
			Ellmers	Rodgers	Thornberry			
			Engel	McNerney	Titus			
			Enyart	Meadows	Tonko			
			Eshoo	Meehan	Upton			
			Esty	Meng	Van Hollen			
			Farr	Messer	Vargas			
			Fattah	Mica	Vela			
			Fincher	Michaud	Velázquez			
			Fleischmann	Miller (MI)	Wagner			
			Forbes	Miller, Gary	Walden			
			Fortenberry	Moran	Walz			
			Foster	Mullin	Wasserman			
			Franks (AZ)	Murphy (PA)	Schultz			
			Frelinghuysen	Nadler	Waters			
			Gabbard	Napolitano	Watt			
			Gallego	Neugebauer	Webster (FL)			
			Goodlatte	Noem	Welch			
			Gosar	Nunes	Wenstrup			
			Granger	Nunnelee	Westmoreland			
			Grayson	O'Rourke	Whitfield			
			Grijalva	Olson	Williams			
			Grimm	Pascrell	Wilson (FL)			
			Guthrie	Payne	Wilson (SC)			
			Gutiérrez	Pelosi	Wolf			
			Hahn	Petri	Womack			
			Hanabusa	Pingree (ME)	Yarmuth			
			Harper	Pocan	Yoho			
			Hastings (FL)		Young (FL)			
			Hastings (WA)		Young (IN)			
			Heck (WA)					

NOT VOTING—22

Andrews	Herrera Beutler	Schwartz
Buchanan	Higgins	Scott, Austin
Costa	Kind	Sires
Dingell	McCarthy (NY)	Tsongas
Frankel (FL)	Perlmutter	Waxman
Gingrey (GA)	Roby	Young (AK)
Gowdy	Rush	
Hall	Sanchez, Loretta	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1323

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 260, nays 137, answered “present” 2, not voting 33, as follows:

[Roll No. 488]

YEAS—260

Aderholt	Beatty	Blackburn
Amodei	Becerra	Blumenauer
Bachus	Bera (CA)	Bonamici
Barletta	Bilirakis	Boustany
Barr	Bishop (UT)	Brady (TX)
Barrow (GA)	Black	Bridenstine

Amash	Clarke
Barber	Cleaver
Barton	Cohen
Benishek	Collins (GA)
Bentivolio	Conaway
Bishop (NY)	Connolly
Brady (PA)	Crowley
Braley (IA)	Davis, Rodney
Brooks (IN)	DeFazio
Broun (GA)	Denham
Bucshon	Duckworth
Burgess	Duffy
Capuano	Farenthold
Carson (IN)	Fitzpatrick
Chu	Fleming

NAYS—137

Flores
Foxx
Fudge
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)

ANSWERED “PRESENT”—2

Gohmert	Owens
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NOT VOTING—33

Alexander	Dingell	Perlmutter
Andrews	Frankel (FL)	Roby
Bachmann	Gingrey (GA)	Rush
Bass	Gowdy	Sanchez, Loretta
Bishop (GA)	Hall	Schwartz
Buchanan	Herrera Beutler	Scott, Austin
Cárdenas	Higgins	Sires
Cicilline	Kind	Tipton
Costa	Maloney, Sean	Tsongas
Cotton	McCarthy (NY)	Waxman
DeSantis	McCaul	Young (AK)

□ 1330

So the Journal was approved.

The result of the vote was announced as above recorded.

SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2013

GENERAL LEAVE

Mr. HASTINGS of Washington. 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 H.R. 687.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 351 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 687.

The Chair appoints the gentleman from Nebraska (Mr. TERRY) to preside over the Committee of the Whole.

□ 1332

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 687) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal

land, and for other purposes, with Mr. TERRY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

I rise today in strong support of H.R. 687, the Southeast Arizona Land Exchange and Conservation Act. As our Nation continues to suffer from high unemployment, a rising national debt, and annual deficits, Congress's top priority should be advancing solutions that put Americans back to work and help to strengthen and grow the economy. The bill before us does just that.

Mr. Chairman, the Southeast Arizona Land Exchange and Conservation Act, sponsored by our colleague and Natural Resources Committee member, Mr. GOSAR from Arizona, is a bipartisan measure that will create thousands of new American jobs and boost our economy through increased U.S. mineral production.

The bill authorizes an equal-value land exchange between Resolution Copper and the Federal Government that will open up the third largest undeveloped copper resource in the world. The bill requires that the cost of the land exchange be fully paid for by the mine developer—Copper Resolution, in this case—ensuring that there will be fair treatment for taxpayers.

This project will provide substantial benefits to the United States and the State of Arizona in the form of job creation, economic growth, and for increased national security for the United States. The mining project is estimated to support 3,700 new jobs. These are good-paying, family-wage American jobs that will equate to more than \$220 million in annual wages.

At a time when our economy continues to struggle, this mining project will provide a much-needed boost through private investment. This mining activity will have over a \$60 billion economic impact and will generate an estimated \$20 billion in total Federal, State, county, and local tax revenue through the life of the project. This bill is a perfect example of how safely and responsibly harnessing our resources will generate revenue and get our economy back on track.

The importance of increased U.S. copper production cannot be overstated. Our Nation has become increasingly reliant on foreign countries for our mineral resources—placing our economic competitiveness and national security at risk. The U.S. currently imports 30 percent of the copper we need, and we will continue to be dependent on foreign countries if we fail to develop our own resources here at home.

The copper produced from this single project is estimated to meet 25 percent

of the United States' entire copper demand. This copper could be used for a variety of items, ranging from medical devices, plumbing, computers, and even, Mr. Chairman, hybrid cars. It's also essential for our national defense equipment and technology, including satellites, space and aviation, and weapons guidance and communications systems.

The benefits and reasons to pass this bill are plentiful. However, we are likely to hear several inaccurate claims from those who are opposed to mining in the United States. I would like to take a moment to set the record straight right from the beginning.

First, this bill follows the standard Federal land appraisal process procedures issued by the Department of Justice, which has been in use for decades. The appraisal requires full market value to be paid for both the land and the minerals located within the land. If, by chance, there is copper production beyond the appraised value, the mine developer will be required to pay the United States the difference. This, Mr. Chairman, would be assessed annually. This is an added guarantee to ensure that taxpayers get a fair return for these copper resources.

Second, as I mentioned earlier, this bill is about creating nearly 3,700 American jobs. It's not about helping foreign mining interests at home, as some have charged. Opposing this mine and not producing copper in the U.S. is what truly benefits foreign nations, by sending American jobs overseas and making us increasingly reliant on foreign sources of critical minerals.

Finally, the bill requires full compliance with environmental laws and tribal consultation prior to constructing the mine. This bill provides more conservation and protection of culturally sensitive, riparian, and critical habitat than otherwise would occur. This bill does not, Mr. Chairman, waive any existing laws or protections for sacred sites under Federal law. It upholds the Native American Graves Preservation and Repatriation Act, or NAGPRA, and the American Indian Religious Freedom Act. It will not allow the desecration of any sacred area. It does, Mr. Chairman, specifically and permanently protect a site called Apache Leap that is well known and special to Arizonans and the area tribes.

H.R. 687 is about creating new American jobs, strengthening our economy, and decreasing our dependence on foreign minerals. The bill has broad support from over 50 local and national organizations and government entities, including Arizona Governor Jan Brewer, the Arizona Chamber of Commerce, the U.S. Chamber of Commerce, the National Association of Manufacturing, and the National Mining Association.

Furthermore, the Arizona Republic Editorial Board has endorsed this bill. They highlighted the bipartisan support from the Arizona congressional delegation and noted that "it has the

potential to be an economic bonanza for our State and a national security boon to our country."

I strongly urge my colleagues to support this bill to put Americans back to work and end our dependency on foreign minerals.

With that, I reserve the balance of my time.

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

I rise to oppose H.R. 687. At a time when the majority in this Congress has brought our Nation to the brink of potential shutdown, a looming hardship and economic crisis with regard to the debt ceiling, no progress on the jobs plan, no progress on immigration reform, here we are today, debating a sweetheart piece of legislation that hurts taxpayers and comforts, yes, foreign multinational mining corporations. One has to wonder about what the priorities for this Congress really are.

We have seen at least five different versions of this legislation over the past 10 years. Originally filed in the 109th Congress as H.R. 2681, sponsored by our former colleague from Arizona, Congressman Renzi, that version begat H.R. 3301 in the 110th Congress by our colleague, Congressman PASTOR. That begat H.R. 2509 in the 111th Congress by Congresswoman KIRKPATRICK. And then that begat the version in the 112th Congress, H.R. 1904, by my friend from Arizona, Congressman GOSAR, which begat this present version, H.R. 687 in the 113th, again sponsored by my colleague, Mr. GOSAR.

If the definition of insanity is doing the same thing over and over again and expecting different results, we all might need to spend some time getting our heads examined.

H.R. 687 facilitates a land exchange so that a subsidiary of two foreign-owned mining companies can build a massive block cave copper mine on Federal land set aside by President Eisenhower for recreation in 1955. The town of Superior has been torn apart by this legislation. The city attorney issued a legal opinion that section 9 of this bill, which was stripped during the markup process, was not something legally the town could approve. The opinion raised grave concerns about the financial obligations the town would be under if they accepted the arrangement with Resolution Copper as written.

The town was willing to negotiate with Resolution Copper, but the company demanded support for the legislation as a precondition to any further talks. They also stated rather flatly that there would be no additional money coming to Superior from Resolution Copper from these negotiations.

Resolution Copper continues to oppose any requirement of filing a mining plan of operation before this legislation is passed. It's been 10 years since this project was proposed—and we still have no mining plan. This community

has been driven by boom-and-bust promises of mining companies for decades. Retired miners have become accustomed to losing the pensions that they earned in contract negotiations from mining corporations, especially when dealing with foreign entities.

This is not an economic miracle waiting to happen. Even if the town were to reverse its position, the legal and political issues that have already been raised cannot be ignored. The town, climbing and environmental organizations and Native American nations will be severely impacted by this trade, particularly when the mine is built. Resolution Copper, after 10 years of pushing and pushing, has yet to acknowledge those impacts.

□ 1345

There are just too many unanswered questions and shortcuts. Opposition to this bill from the community that it will impact the most is a clear indication that the process needs to start over, but Superior's withdrawal of support is just one of many red flags.

All Native American nations in Arizona overwhelmingly oppose the bill. The Inter Tribal Council of Arizona and the National Congress of American Indians have both passed resolutions in opposition. Their strong opposition stems from the outright violation of the consultation protocol that mandates advanced, informed, and appropriate government-to-government consultation with Indian tribes, nations, and communities.

H.R. 687 trades away Federal lands that contain significant cultural resources without complying with NEPA. This means that there will be no environmental review or formal consultation with affiliated tribal governments before the land becomes private property.

The sponsor's insistence to postpone environmental review until after the land exchange is one of the main reasons local support for this bill has eroded. Once the land is exchanged, as mandated by the bill, there is no guarantee a full EIS under NEPA will occur. That means no independent hydrology study to assess the impacts to local water resources. That means no mining plan of operation and independent jobs and economics report. That means no objective appraisal of the lands to be exchanged. We're stuck relying on the company's numbers to guesstimate the value added for the American taxpayer. That doesn't seem like a good deal to me, no matter what way you look at it.

I was astounded that the majority decided to shield the company from testifying at the hearing held on this bill. We all would have benefited greatly from the ability to hear from Resolution Copper on the record about their support for the bill, the validity of their economic study, the lack of a mining plan of operations, the lack of an independent hydrology study associated with a real mining plan of oper-

ations, and the negligent disregard for NEPA standards and Native American tribal consultation processes.

How is the House expected to make an informed decision on this deeply controversial bill when the committee of jurisdiction didn't even bother to question the owners and proponents, Resolution Copper? This doesn't make sense to me and to a great deal of people.

All we know about the proposed mine is purely speculative and comes from data and reports produced by Resolution Copper, itself. And the common refrain from supporters to trust without validation—don't worry, it will all work out—those are not the due diligence requirements that this Congress has on a major land exchange as we are facing today.

The number of jobs they claim the project will create is a moving target. The number is always changing. At one point, the company claimed the mine would create 5,000 jobs. The last estimate on their Web site project the mine will support 1,400 direct jobs through the life of the mine.

Again, these numbers come from a study conducted by Resolution Copper and are not supported by a mining plan of operation. Until we have a plan, there is really no way to know. The numbers tossed around by the majority come from a study that assume the mine would produce the same amount of copper and support the same amount of jobs year after year for its entire 50-year life span. We know this won't be the case. Mining operations react to market demand.

One number not tossed around by the proponents of H.R. 687 is royalties for the extraction of this very valuable mineral on Federal land, royalties to deal with remediation, to deal with any mitigation likely to occur after the fact, and to deal with some level of return to the American taxpayer.

The boom and bust cycles of mining's history can't be washed away with a public relations document masquerading as an economic study that assumes the very best and brushes aside any reality.

Construction of this mine will benefit two large foreign corporations. It will not diversify the local economy or even guarantee any real jobs for the local people in the area. It will, on the other hand, diminish the recreation value of the area, jeopardize the availability of water, and threaten a sacred site, all for cents on the dollar.

H.R. 687 is not in the best interest of the American taxpayer, and I urge my colleagues to oppose this reckless, expedited land exchange. A wolf in sheep's clothing, regardless, is still a wolf.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 5 minutes to the gentleman from Arizona (Mr. GOSAR), the author of this legislation.

Mr. GOSAR. Thank you, Chairman HASTINGS. I appreciate the House

spending time to consider this important jobs legislation this week.

My home State of Arizona is known for its five Cs: cattle, citrus, climate, cotton, and, ultimately, copper. People have been digging in Arizona for precious metals like copper for centuries. In the 1850s, nearly one in every four people in Arizona were miners. Without a doubt, miners fueled the growth that makes Arizona the State it is today.

Today, the Arizona mining industry is alive, but it's not what it used to be. Nevertheless, a wide array of other minerals, such as copper, coal, uranium, lime, and potash, are mined throughout my district. These projects employ hundreds of my constituents with high-paying jobs, jobs that pay over \$50,000 to \$60,000 a year, plus benefits. In rural Arizona, those types of jobs are few and far between.

Rural Arizonans recognize the major benefits this project will bring to our region and our State, which is why it was one of the first initiatives brought to my attention when I came to Congress. The Southwest Arizona Land Exchange and Conservation Act is a bill that protects important, environmentally sensitive lands in the State and opens up over 3,700 jobs at Resolution Copper Mine.

My legislation is the result of years of negotiation and compromise that achieves a careful balance between conservation and resource utilizations, and Arizonans just want Congress to get it done. That is why my colleague on the other side of the aisle, Congresswoman ANN KIRKPATRICK, and I came together at the beginning of this Congress and jointly introduced this legislation.

In fact, just last week, the largest paper in the State of Arizona, The Arizona Republic, issued an op-ed on House consideration of our bill. In the column, entitled, "Stop Dawdling on Resolution Copper," the editorial board stated:

Congress needs to get this done. A copper mine proposed near Superior is a winner. It has bipartisan support from Arizona's congressional delegation. (How often does that happen?) It also has the potential to be an economic bonanza for our State and a national security boon to our country. The proposal has been around so long it has old-timer status in Arizona. Congressional approval is overdue for the land swap necessary to make this happen.

I guess that says it all. Our bill is a win-win for Arizona. That is why it has strong bipartisan support in Arizona and across the Nation. That support includes Arizona Governor Jan Brewer, four-fifths of the highly polarized Arizona Legislature, nearly every municipal government in central and southern Arizona, national business interests like the U.S. Chamber of Commerce, the general contractors, the truckers and the manufacturers, and conservation organizations like the Sonoran Institute and the Arizona Game and Fish Commission.

Why so much buzz about this project, you ask? It's called jobs, jobs, and jobs.

Upon passage of the bill, Resolution Copper estimates it will be able to employ nearly 3,000 workers during a 6-year construction period, and that's just the start. The mine, given the company's mine plan of operation when it complies with all environmental laws, will directly employ around 1,400 people. These are high-paying jobs ranging from \$40,000 to \$120,000 salaries per year in a region that is struggling economically.

As many people familiar with mining communities know, an influx of over 1,000 mining jobs will spur additional economic growth in a community. These mine workers need restaurants to eat at, convenience stores to shop at, and homes to live in. A recent economic study estimates an additional 2,300 jobs could be created due to these demands. That brings the estimated total number of permanent jobs resulting from this legislation to about 3,700.

Overall, independent analysis estimates that the total economic impact of the project will be around \$61 billion. That is over \$1 billion per year over the life of the mine, which equates to over \$19 billion in Federal, State, county, and local tax revenue—\$19 billion in tax revenue. In these tough fiscal times, I think we can all agree that local governments, and certainly the U.S. Treasury, could use those funds.

This legislation also has national security implications. The U.S. currently imports 30 percent of its copper, and its demand is skyrocketing. This critical mineral is used in virtually all modern-day technology, ranging from renewable energy and hybrid cars to your everyday electronics like cell phones and iPods. Our country must use domestic resources to meet this growing demand, and this project, as was said earlier, could yield enough copper to yield 25 percent of our current demand.

This legislation is not only a jobs bill, it's a conservation bill. The lands the Federal Government acquires in the exchange are highly coveted recreational and conservation lands. It protects one of the few remaining undammed rivers in Arizona, the San Pedro River. The Dripping Springs property is a superb hiking and climbing location. The Cave Creek property will protect a riparian corridor, as well as numerous archaeological sites.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman from Arizona an additional 1 minute.

Mr. GOSAR. And nearly 100 acres of private land adjacent to the culturally important Apache Leap is being placed into Federal stewardship.

This proposal truly has bipartisan support on the ground in our State and across the country. We can preserve lands that advance the public interests and objectives of protecting wildlife habitat, cultural and historical resources, while enabling development of a project that will generate significant economic and employment opportuni-

ties for State and local residents. I hope it will garner your support.

I urge my colleagues to vote "yes" on H.R. 687, the Southeast Arizona Land Exchange and Conservation Act.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the Resources Committee.

Mr. DEFAZIO. Mr. Chairman, I thank my friend and colleague for yielding that time.

Well, another day, another giveaway. Pretty ironic: here we are, we're about to get into a massive fight over whether or not we should increase the debt limit of the United States or default on our obligations, which involves many trillions of dollars, and today we're going to give away a taxpayer asset that is worth billions of dollars. We're going to give it away. Oh, we're going to get some pretty land in exchange. That's valuable. That's nice. But, you know, for many billions of dollars, we could probably buy a lot more land if we wanted it, or we could have a little debt reduction.

I had a simple amendment. My amendment would have said that we would charge an 8 percent royalty. Eight percent of the value of the copper coming from these publicly-owned lands would be paid to the Treasury of the United States of America. And guess what? The Republicans didn't allow the amendment. What are they afraid of? They're afraid that maybe some of their Tea Party types over there might vote for it? You want to run government like a business, don't give away assets. That's what we're doing here. You would still get the jobs.

Now, you know, this bill contains sort of a bizarre—they're saying, oh, we're going to get some money maybe, sort of, kind of. Except Treasury—nobody can interpret the language of this bill. It's a rather unique and very speculative—potential, future, possible—payment scheme, which would be controlled entirely by the company using proprietary information. Of course they're going to volunteer to pay money. Yeah, I don't think so. It's not going to happen.

So we're going to trade away a multi-billion-dollar asset for a few thousand acres of recreation land. I would say on any other day I wouldn't hear from the Republican side of the aisle that that was a good idea—give away billions of dollars of Federal assets for some recreation lands.

Now, this isn't about the surface. It's just about the fact that Rio Tinto, a foreign corporation, is not going to pay anything, or very little, for the value of the minerals that are extracted from this land. In fact, I understand that they've pretty much stopped any other exploration around the world because this is the richest copper load in North America, one of the richest in the world. They don't want to go to these other piddly places where they've

been—Indonesia, Australia and all that. They're just focusing all their energy for copper right here.

And guess where the copper is going to go after it's mined and after they don't pay anything to us for taking it out of the ground? It's going to go to China. Foreign corporation, ship it to China. Yeah, we'll get some jobs. And if they paid a royalty, we would still get the jobs and we would make the taxpayers whole.

Now, the oil and gas industry pays 12.5 percent royalty to the government for the value of the resources they extract. Why shouldn't the mining industry pay? Well, they don't pay because we're operating under an 1872 law signed by Ulysses S. Grant. That's what governs mining here. Now, come on. It's time to update that law. And if they don't want to update the law, they could at least begin to charge some royalties for the extraction of these minerals.

We have given away billions of dollars of gold mines to foreign corporations—platinum, everything. Now we're going to give away our greatest copper resource to a foreign corporation with no royalties, no charge—and they will shelter most of their earnings overseas. They will pay little, if anything, in U.S. taxes. Yes, their employees will pay taxes—oh, they will pay taxes. Yeah, of course. We're going to extract that out of the employees, but the company isn't going to pay. They will find a way to shelter that overseas. It's a foreign corporation.

□ 1400

This is outrageous, absolutely outrageous. There are the issues regarding the environmental waivers and the other things that Mr. GRIJALVA talked about. We are going to evaluate this after the asset is transferred to the mining company. The mining company will some day go through this bizarre speculative scheme and they might pay us something in the future.

Let's have a plain and simple and fair 8 percent royalty, make the taxpayers whole and run this government a little bit more responsibly, guys.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to another gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Chairman, you've already heard that this is a very bipartisan measure that is supported by people on both sides of the aisle.

In fact, I would like to point out a little story that I think is kind of interesting. I think Mr. GOSAR might be a little embarrassed, and his partner on the other side of the aisle in getting this through, ANN KIRKPATRICK. But I think it's really interesting to note that Mr. GOSAR beat Mrs. KIRKPATRICK in a campaign a few years ago, yet they were able to put all differences aside to come together for what's best for the State and what's best ultimately for the Nation.

We are talking about 3,700 jobs. Every town hall meeting that I've held

this year—and I think the same thing could be said for most folks in this body on both sides of the aisle—the number one issue that keeps coming up is jobs, jobs, jobs. People want to get back to work again. Arizona was hit really hard by this Great Recession, and the prospect of getting 3,700 jobs in our State for this great project that's going to provide 25 percent of the copper for this country is phenomenal. That's why *The Arizona Republic*, our State's largest newspaper, came out and editorialized for it. That's why you see all these different entities that really are on both sides of the aisle coming out in support of this idea.

I really find it incredible that as we try to balance the budget, we try to start whittling down the deficit, stop having to pay a third of our debt to China, that we have folks on the other side of the aisle that are not willing to either cut spending or create jobs. I find that incredible.

This is a phenomenal opportunity. It's a win-win all the way across the board and what I think a lot of our young people would call a “no-brainer.”

I would like to really commend the other gentleman from Arizona, Representative PAUL GOSAR, for his undying support and his incredible hard work to get this done, and I commend his colleague on the other side of the aisle, ANN KIRKPATRICK, for her great work on this.

I also want to just say in closing that this is extremely important to the folks in Arizona. It's been going on since I left Congress the first time, and that was 12 years ago. It's time to put this to bed.

It has passed the House on several occasions and it gets all caught up in the Senate. I think we have the opportunity to get it done this year, I think common sense will prevail, and I would like to again compliment the gentleman from Arizona for his great work.

Mr. GRIJALVA. Mr. Chairman, I think the great Senator Moynihan once said that “people are entitled to their own opinions, but they're not entitled to their own facts.”

Allowing the immediate exploration on and under Oak Flat prior to NEPA review contemplated in section 4(j) of the act will constitute an irretrievable commitment of resources. That is part of what has already been the legislation.

What's also in the legislation is section 4(c) of H.R. 687 that requires consultation only after enactment of the act, making any consultation with Native communities a mere formality.

Secretary Vilsack said it in prior written comments:

It is important that this bill engage in a process of formal tribal consultation to ensure both tribal participation and the protection of the sacred sites.

This is his principal concern with regard to H.R. 687, and that's why it did not receive the support of the Department.

I mention those things because they're part of the legislation. This legislation was written for the convenience of the company and to facilitate a trade that at the end of the day doesn't offer not only any benefit but circumvents any protections we have to deal with intended and unintended consequences.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan, Congressman KILDEE, for his comments.

Mr. KILDEE. Mr. Chairman, I thank my friend, Mr. GRIJALVA, for his leadership and for yielding the time.

I rise in strong opposition to this bill. I have consulted with many Native American tribes, including the Saginaw Chippewa Tribe, which I represent. This bill simply does not rise to the standard that allows me to support it. I have talked to the tribes. Their concern is that this bill does not adequately support the protection of sacred lands, nor does it adequately confer with Native Americans on these critical issues.

The gentleman mentioned that the two cosponsors of this legislation have set aside their differences. I have great respect for both Members that offer this legislation. It is commendable that they have set aside their differences.

Unfortunately, what this bill does is also set aside the objections of the Native American tribes of this Nation—of this country—who object to the bill.

It's bad for a couple of reasons:

First, it waives NEPA protections that require mining companies to publicly disclose the environmental impacts they will create, including on our water resources.

Second, basically this bill provides a multibillion dollar giveaway to a foreign mining conglomerate that is engaged in mining uranium in Iran.

Third, this bill would potentially destroy sacred and religious lands.

I know something firsthand about the importance of preserving sacred tribal sites. When I was the president of the Genesee County Land Bank back home in Flint, Michigan, we discovered sacred ancestral remains on a worksite. Instead of simply continuing on the project, as many would have had us do, we did the right thing. We stopped the development, worked with local and tribal officials, identified and protected the sacred remains and returned the land to the Saginaw Chippewa Tribe.

The Federal Government has a legal and trust responsibility to Indian tribes and to protect and preserve sacred tribal lands, and we should take that role very seriously.

I suggest and implore my colleagues to oppose this bill.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN), the subcommittee chairman on the Natural Resources Committee that deals with this issue.

Mr. LAMBORN. Mr. Chairman, I want to thank the chairman of the full

committee, Representative HASTINGS, for his leadership on this and many other resources issues. I want to thank the sponsors of the bill, and particularly point out to the American people that Representative PAUL GOSAR has been working night and day on this issue for years. It is amazing to me, and a sign of his dedication to his district and the people of Arizona that brought this bill to where it's at right now. It's taken a lot of work and dedication, and I admire that as I witness it.

A lot has been said about the good that will come to Arizona, the 3,700 well-paying jobs. But I want to talk about the good that's going to come to America.

Copper is the second-most-needed defense material that the Department of Defense has. I'm on the Armed Services Committee, and I'm sensitive to making sure that our men and women in uniform have the best weapons and supplies that they can have. The DOD says that copper is the second-most-necessary mineral to meeting the needs of the military. The first happens to be aluminum.

Also, this is the third-most-rich site of copper in the entire world, in my understanding. It would supply up to one-quarter of this Nation's copper needs. We are right now importing 30 percent of our needs, so it almost wipes out our trade deficit in copper. Copper is a critical metal. If you want to have a growing economy, you've got to have copper. I just want to say this is good for America, it's good to have this resource, and it's good for the jobs that it produces in Arizona.

Finally, I'm just going to conclude by saying it amazes me when I hear people who profess to be for the working families—the working men and women of this country—stumble over a golden opportunity like this that would create thousands of great jobs and they just throw it away.

I would urge that we not listen to them, we look at the good that comes from this bill and the resources and the jobs that this would produce and the good that it does to our national economy, including our defense industry.

Mr. GRIJALVA. Mr. Chairman, before I yield to my colleague from Utah, it should be noted that 1/14th of 1 percent is the impact copper has on the Arizona economy. It used to be 4 percent about 10 or 15 years ago.

Conversely, \$421 million annually is spent in Pinal County and the surrounding area around Oak Flat and Apache Leap in terms of ecotourism and visitorship revenue.

Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Chairman, I thank Mr. GRIJALVA for his generosity in yielding me the time.

I rise in support of H.R. 687, the Southeast Arizona Land Exchange and Conservation Act.

Copper is such a critical part of our economy. It is used in electronics,

plumbing, cars, renewable energy. Yet, according to the latest data from the U.S. Geological Survey, the United States remains a net importer of copper, with over a third of copper consumed in this country coming from foreign sources.

This piece of bipartisan legislation offers a chance to develop one of the largest undeveloped copper resources in the world. It is estimated that once fully developed, this project will produce enough copper annually to meet 25 percent of U.S. demand. It will create 3,500 high-paying jobs. The average income in this industry is over \$65,000.

This has been the product of a lengthy stakeholder negotiation process. It has been supported by local elected officials of both parties.

I commend Mr. GOSAR for his leadership on this issue and for working with Congresswoman KIRKPATRICK as well. I urge passage of this bill.

Mr. HASTINGS of Washington. Mr. Chairman, I reserve the balance of my time.

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

Let me, if I may, talk a little bit about the proponent's claim that H.R. 687 will boost the U.S. economy.

The copper will likely benefit China more than the United States. Nine percent of the parent company of Resolution Copper, Rio Tinto, is owned by the state-controlled Aluminum Corporation of China. Rio Tinto has a long-established partnership to supply copper to China—they repeatedly stated—and at a hearing refused to say what percentage of the copper generated from Federal lands would be retained and processed in the United States.

They will continue to market and supply their mine copper and other ores to meet the greatest needs. At this point, Rio Tinto's own international copper study group forecast a 377-ton global shortage this year alone, driven not by U.S. demand but by that of China. The bill does not even require that the ore extracted from this mine be processed in the United States, much less marketed or sold here.

Our time and our focus should be on supporting U.S. industries maintaining jobs. We should not trade away billions and billions of dollars and tonnage of copper to supply China's ever-growing need.

I also would like to point out another issue that my friend, Congressman KILDEE, pointed out. At one point, we continued a very important inquiry that has not been finalized or formalized, and that is the parent company is in violation of the resolution by this Congress and by previous Congresses on sanctions against Iran because of their development of potential weapons, nuclear weapons. Any company doing business with Iran was not to be able to do business with the United States.

Rio Tinto co-manages in partnership a mine—a uranium mine of all things—

in Namibia in Africa. I think that merits we look into it before we are in violation of our own resolution and, more importantly, that we are not violating a resolution that we passed. It is an issue of asking Commerce and Treasury, who are responsible for that sanction enforcement, to do so. I think it would satisfy many of us to know the results of that, and it would satisfy the American people to know that their resource, a shared taxpayer resource, copper on Federal land, is not in violation of a sanctions resolution by this Congress against Iran.

With that, I reserve the balance of my time.

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Mr. HASTINGS of Washington. Mr. Chairman, I have no further requests for time on general debate and would ask my friend from Arizona if he is prepared to yield back his time on general debate, as I am prepared to close?

Mr. GRIJALVA. At this point, I don't have any further speakers.

Mr. HASTINGS of Washington. I reserve the balance of my time.

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

Mr. Chairman, let me summarize three important points from this debate.

H.R. 687 reflects all five of the previous variations of this legislation. You are doing a post-NEPA with no enforcement. You are turning the regulatory process and the oversight process to the State of Arizona, which has weak mining laws and which is also not in a position to meet the requirements that have to be part of this prior to any land exchange: that would be hydrology; that would be sacred-site consultation; that would be a NEPA review as to water issues that could occur and subsurface damage. To the area around Apache Leap and Oak Flat, those become important issues.

The sanctions issue is important to resolve against Iran—that we are not in violation by creating a partnership in an exchange with a foreign corporation that is doing business with Iran.

I think the most important issue is the taxpayer issue. We here in this Congress—certainly many of my colleagues on the other side of the aisle and on this side of the aisle as well—talk so much about the taxpayer; talk so much about budget cuts and how to relieve the taxpayer; talk so much about deficits and how we need to reduce those deficits to the benefit of the taxpayer. We have no jobs bill, but we talk about helping the taxpayer.

Then here we have before us our trading away of Federal land in an exchange, not knowing what the real value is, because that's proprietary, not knowing what the real production is going to be by the company because that's proprietary, not requiring the same regulatory NEPA process required of any other land exchange because this is a special deal.

At the end of the day, as to exported copper that is processed outside the

United States—one, no gain to the taxpayer; no royalty requirement—lost to the taxpayer; no real understanding of the full value of what's underneath that ground and what protections and mitigations would have to be put in place in order to make sure that those areas are taken care of—not a problem; violation of the government-to-government consultation on sacred sites and cultural sites—we ignore that, too.

I think this is a rush to judgment, and it has been 10 years of a rush to judgment. If the company 10 years ago would have agreed to do a post-NEPA, we would have had all the information this Congress needed in order to make an informed, due diligence decision. If 10 years ago they would have sat down with the tribes and honestly and forthrightly and equally done a government-to-government consultation, we could have been on our way. If 10 years ago they would have made the guarantees about a fair return to the taxpayer—how much ore is going to be domestically marketed and remain in the United States and how much is going to be processed—we could have been on our way. That was 10 years ago.

This is the same piece of legislation, the same insistence on the company. I think it is a bad deal for the taxpayers, and it is a bad deal for the State of Arizona. We would be the poster child for one of the worst expedited, sweetheart deals at the expense of the American taxpayer and at the expense of the people of Arizona, of the tribes of Arizona, and of the revenue that that County of Pinal enjoys.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. MEADOWS). The gentleman from Arizona has 5 minutes remaining.

Mr. GRIJALVA. I yield 2 minutes to the gentlelady from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK. Mr. Chairman, I rise in support of this legislation.

I thank my colleague, Mr. GRIJALVA, for yielding time to me, and I thank him for his work and his comments. I also want to thank my colleague from across the aisle, Congressman GOSAR, for working with me in a bipartisan way on this legislation.

I just want people to know that the town of Superior is a small town. It's in the Copper Corridor of Arizona. Arizona's unemployment is higher than the national unemployment; but in our rural communities, it's even higher. This is an area in which people have been miners for generations, and they want these jobs.

If the folks in a small town like Superior can come together, we as Members of Congress can come together. I urge my colleagues to vote for this legislation. It's an opportunity for us as Members of Congress to show the American people that, yes, we can work together and get things done. Let's make sure that this gets done.

Mr. HASTINGS of Washington. I continue to reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, with this, I will close.

At some point, we as Members of this august body have to really define what “bipartisanship” is. The last time that this bill was before us and passed the House, seven Members from this side of the aisle—Democrats—voted for it, and eight Members on the other side of the aisle voted against it.

I mention that because this bill is about precedence. It is about the kind of precedence that we are going to set as Members of this body—ignoring our due diligence, ignoring the fact that we have before us a piece of legislation that has failed to get out of the Senate and, more importantly, that on two occasions the administration has strongly indicated it does not support it. So we will go on with this exercise of futility at the expense of real business that this Congress should be doing for the American people.

I yield back the balance of my time. Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, I just want to make a few comments here in response to what my colleagues on the other side of the aisle have been saying regarding this legislation. Certainly, there is a great deal of hyperbole going on that, I think, simply doesn't meet the “straight face” test in many respects.

First of all, it has been implied—and maybe said specifically—by one of my colleagues that this legislation waives environmental laws. Mr. Chairman, I want to say very specifically that this does not waive any environmental laws. Let me walk back to how this works, because my friends on the other side of the aisle are talking about the NEPA review. NEPA is a pretty important environmental law—I certainly understand that—but let's put this in context.

This legislation is a land exchange legislation—you exchange this piece of land for this piece of land. Now, that is a policy decision that we are debating and making here on the floor of the House. We are making a policy decision on exchanging this piece of land for another piece of land. If that exchange is done and if this becomes law, then, yes, there will be a copper mine on that land that's exchanged—we acknowledge that—but my friends on the other side of the aisle suggest that we should have a NEPA review before we make a law.

How absurd is that? Are we going to have a NEPA review on every law? Mr. Chairman, don't we make the policy here in this country? Their criticism is that we are not allowing a NEPA review before we make a law. I did not know that the NEPA policy said that, before there is a land exchange or before Congress passes a statute, you have to have a NEPA review. Yet, that's what their argument is in this case. After the land exchange, the process starts of developing a mine, and then you go through all of those envi-

ronmental hoops that you normally go through in this sort of activity.

So I just wanted to clarify that. I hope that my friends on the other side of the aisle aren't suggesting by their argument of a NEPA review that we should have a NEPA review on Congress' action. A NEPA review on a statute? That doesn't make sense.

Mr. Chairman, this is a good piece of legislation. It has been worked on very hard, on a bipartisan basis, by Mr. GOSAR and others from the Arizona delegation. Obviously, Arizonans broadly support this, at least by the evidence that we see in the media and so forth. I think it's a good bill. We have several amendments. We will debate those, and we will address those issues during that debate; but I urge my colleagues to vote for this legislation.

I yield back the balance of my time. The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 687

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Southeast Arizona Land Exchange and Conservation Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Definitions.

Sec. 4. Land exchange.

Sec. 5. Conveyance and management of non-Federal land.

Sec. 6. Value adjustment payment to United States.

Sec. 7. Withdrawal.

Sec. 8. Apache leap.

Sec. 9. Miscellaneous provisions.

SEC. 2. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress finds that—

(1) the land exchange furthers public objectives referenced in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) including—

(A) promoting significant job and other economic opportunities in a part of the State of Arizona that has a long history of mining, but is currently experiencing high unemployment rates and economic difficulties;

(B) facilitating the development of a world-class domestic copper deposit capable of meeting a significant portion of the annual United States demand for this strategic and important mineral, in an area which has already been subject to mining operations;

(C) significantly enhancing Federal, State, and local revenue collections in a time of severe governmental budget shortfalls;

(D) securing Federal ownership and protection of land with significant fish and wildlife, recreational, scenic, water, riparian, cultural, and other public values;

(E) assisting more efficient Federal land management via Federal acquisition of land for ad-

dition to the Las Cienegas and San Pedro National Conservation Areas, and to the Tonto and Coconino National Forests;

(F) providing opportunity for community expansion and economic diversification adjacent to the towns of Superior, Miami, and Globe, Arizona; and

(G) protecting the cultural resources and other values of the Apache Leap escarpment located near Superior, Arizona; and

(2) the land exchange is, therefore, in the public interest.

(b) **PURPOSE.**—It is the purpose of this Act to authorize, direct, facilitate, and expedite the exchange of land between Resolution Copper and the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) **APACHE LEAP.**—The term “Apache Leap” means the approximately 807 acres of land depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013—Apache Leap” and dated February 2013.

(2) **FEDERAL LAND.**—The term “Federal land” means the approximately 2,422 acres of land located in Pinal County, Arizona, depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013—Federal Parcel—Oak Flat” and dated February 2013.

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

(4) **NON-FEDERAL LAND.**—The term “non-Federal land” means the parcels of land owned by Resolution Copper that are described in section 5(a) and, if necessary to equalize the land exchange under section 4, section 4(e)(2)(A)(i).

(5) **OAK FLAT CAMPGROUND.**—The term “Oak Flat Campground” means the approximately 50 acres of land comprising approximately 16 developed campsites depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013—Oak Flat Campground” and dated February 2013.

(6) **OAK FLAT WITHDRAWAL AREA.**—The term “Oak Flat Withdrawal Area” means the approximately 760 acres of land depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013—Oak Flat Withdrawal Area” and dated February 2013.

(7) **RESOLUTION COPPER.**—The term “Resolution Copper” means Resolution Copper Mining, LLC, a Delaware limited liability company, including any successor, assign, affiliate, member, or joint venturer of Resolution Copper Mining, LLC.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(9) **STATE.**—The term “State” means the State of Arizona.

(10) **TOWN.**—The term “Town” means the incorporated town of Superior, Arizona.

SEC. 4. LAND EXCHANGE.

(a) **IN GENERAL.**—Subject to the provisions of this Act, if Resolution Copper offers to convey to the United States all right, title, and interest of Resolution Copper in and to the non-Federal land, the Secretary is authorized and directed to convey to Resolution Copper, all right, title, and interest of the United States in and to the Federal land.

(b) **CONDITIONS ON ACCEPTANCE.**—Title to any non-Federal land conveyed by Resolution Copper to the United States under this Act shall be in a form that—

(1) is acceptable to the Secretary, for land to be administered by the Forest Service and the Secretary of the Interior, for land to be administered by the Bureau of Land Management; and

(2) conforms to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(c) **CONSULTATION WITH INDIAN TRIBES.**—If not undertaken prior to enactment of this Act, within 30 days of the date of enactment of this

Act, the Secretary shall engage in government-to-government consultation with affected Indian tribes concerning issues related to the land exchange, in accordance with applicable laws (including regulations).

(d) APPRAISALS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and Resolution Copper shall select an appraiser to conduct appraisals of the Federal land and non-Federal land in compliance with the requirements of section 254.9 of title 36, Code of Federal Regulations.

(2) REQUIREMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an appraisal prepared under this subsection shall be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(B) FINAL APPRAISED VALUE.—After the final appraised values of the Federal land and non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value—

(i) for a period of 3 years beginning on the date of the approval by the Secretary of the final appraised value; or

(ii) at all, in accordance with section 254.14 of title 36, Code of Federal Regulations (or a successor regulation), after an exchange agreement is entered into by Resolution Copper and the Secretary.

(C) IMPROVEMENTS.—Any improvements made by Resolution Copper prior to entering into an exchange agreement shall not be included in the appraised value of the Federal land.

(D) PUBLIC REVIEW.—Before consummating the land exchange under this Act, the Secretary shall make the appraisals of the land to be exchanged (or a summary thereof) available for public review.

(3) APPRAISAL INFORMATION.—The appraisal prepared under this subsection shall include a detailed income capitalization approach analysis of the market value of the Federal land which may be utilized, as appropriate, to determine the value of the Federal land, and shall be the basis for calculation of any payment under section 6.

(e) EQUAL VALUE LAND EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this Act shall be equal or shall be equalized in accordance with this subsection.

(2) SURPLUS OF FEDERAL LAND VALUE.—

(A) IN GENERAL.—If the final appraised value of the Federal land exceeds the value of the non-Federal land, Resolution Copper shall—

(i) convey additional non-Federal land in the State to the Secretary or the Secretary of the Interior, consistent with the requirements of this Act and subject to the approval of the applicable Secretary;

(ii) make a cash payment to the United States; or

(iii) use a combination of the methods described in clauses (i) and (ii), as agreed to by Resolution Copper, the Secretary, and the Secretary of the Interior.

(B) AMOUNT OF PAYMENT.—The Secretary may accept a payment in excess of 25 percent of the total value of the land or interests conveyed, notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (42 U.S.C. 1716(b)).

(C) DISPOSITION AND USE OF PROCEEDS.—Any amounts received by the United States under this subparagraph shall be deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”; 16 U.S.C. 484a) and shall be made available, in such amounts as are provided in advance in appropriation Acts, to the Secretary for the acquisition of land for addition to the National Forest System.

(3) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the value of the Federal land—

(A) the United States shall not make a payment to Resolution Copper to equalize the value; and

(B) the surplus value of the non-Federal land shall be considered to be a donation by Resolution Copper to the United States.

(f) OAK FLAT WITHDRAWAL AREA.—

(1) PERMITS.—Subject to the provisions of this subsection and notwithstanding any withdrawal of the Oak Flat Withdrawal Area from the mining, mineral leasing, or public land laws, the Secretary, upon enactment of this Act, shall issue to Resolution Copper—

(A) if so requested by Resolution Copper, within 30 days of such request, a special use permit to carry out mineral exploration activities under the Oak Flat Withdrawal Area from existing drill pads located outside the Area, if the activities would not disturb the surface of the Area; and

(B) if so requested by Resolution Copper, within 90 days of such request, a special use permit to carry out mineral exploration activities within the Oak Flat Withdrawal Area (but not within the Oak Flat Campground), if the activities are conducted from a single exploratory drill pad which is located to reasonably minimize visual and noise impacts on the Campground.

(2) CONDITIONS.—Any activities undertaken in accordance with this subsection shall be subject to such reasonable terms and conditions as the Secretary may require.

(3) TERMINATION.—The authorization for Resolution Copper to undertake mineral exploration activities under this subsection shall remain in effect until the Oak Flat Withdrawal Area land is conveyed to Resolution Copper in accordance with this Act.

(g) COSTS.—As a condition of the land exchange under this Act, Resolution Copper shall agree to pay, without compensation, all costs that are—

(1) associated with the land exchange and any environmental review document under subsection (f); and

(2) agreed to by the Secretary.

(h) USE OF FEDERAL LAND.—The Federal land to be conveyed to Resolution Copper under this Act shall be available to Resolution Copper for mining and related activities subject to and in accordance with applicable Federal, State, and local laws pertaining to mining and related activities on land in private ownership.

(i) INTENT OF CONGRESS.—It is the intent of Congress that the land exchange directed by this Act shall be consummated not later than one year after the date of enactment of this Act.

(j) ENVIRONMENTAL COMPLIANCE.—Compliance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under this Act shall be as follows:

(1) Prior to commencing production in commercial quantities of any valuable mineral from the Federal land conveyed to Resolution Copper under this Act (except for any production from exploration and mine development shafts, adits, and tunnels needed to determine feasibility and pilot plant testing of commercial production or to access the ore body and tailing deposition areas), Resolution Copper shall submit to the Secretary a proposed mine plan of operations.

(2) The Secretary shall, within 3 years of such submission, complete preparation of an environmental review document in accordance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4322(2)) which shall be used as the basis for all decisions under applicable Federal laws, rules and regulations regarding any Federal actions or authorizations related to the proposed mine and mine plan of operations of Resolution Copper, including the construction of associated power, water, transportation, processing, tailings, waste dump, and other ancillary facilities.

SEC. 5. CONVEYANCE AND MANAGEMENT OF NON-FEDERAL LAND.

(a) CONVEYANCE.—On receipt of title to the Federal land, Resolution Copper shall simultaneously convey—

(1) to the Secretary, all right, title, and interest that the Secretary determines to be acceptable in and to—

(A) the approximately 147 acres of land located in Gila County, Arizona, depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–Turkey Creek” and dated February 2013;

(B) the approximately 148 acres of land located in Yavapai County, Arizona, depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–Tangle Creek” and dated February 2013;

(C) the approximately 149 acres of land located in Maricopa County, Arizona, depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–Cave Creek” and dated February 2013;

(D) the approximately 640 acres of land located in Coconino County, Arizona, depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–East Clear Creek” and dated February 2013; and

(E) the approximately 110 acres of land located in Pinal County, Arizona, depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Apache Leap South End” and dated February 2013; and

(2) to the Secretary of the Interior, all right, title, and interest that the Secretary of the Interior determines to be acceptable in and to—

(A) the approximately 3,050 acres of land located in Pinal County, Arizona, identified as “Lands to DOI” as generally depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–Lower San Pedro River” and dated February 2013;

(B) the approximately 160 acres of land located in Gila and Pinal Counties, Arizona, identified as “Lands to DOI” as generally depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–Dripping Springs” and dated February 2013; and

(C) the approximately 940 acres of land located in Santa Cruz County, Arizona, identified as “Lands to DOI” as generally depicted on the map entitled “Southeast Arizona Land Exchange and Conservation Act of 2013–Non-Federal Parcel–Appleton Ranch” and dated February 2013.

(b) MANAGEMENT OF ACQUIRED LAND.—

(1) LAND ACQUIRED BY THE SECRETARY.—

(A) IN GENERAL.—Land acquired by the Secretary under this Act shall—

(i) become part of the national forest in which the land is located; and

(ii) be administered in accordance with the laws applicable to the National Forest System.

(B) BOUNDARY REVISION.—On the acquisition of land by the Secretary under this Act, the boundaries of the national forest shall be modified to reflect the inclusion of the acquired land.

(C) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of a national forest in which land acquired by the Secretary is located shall be deemed to be the boundaries of that forest as in existence on January 1, 1965.

(2) LAND ACQUIRED BY THE SECRETARY OF THE INTERIOR.—

(A) SAN PEDRO NATIONAL CONSERVATION AREA.—

(i) IN GENERAL.—The land acquired by the Secretary of the Interior under subsection (a)(2)(A) shall be added to, and administered as part of, the San Pedro National Conservation

Area in accordance with the laws (including regulations) applicable to the Conservation Area.

(ii) **MANAGEMENT PLAN.**—Not later than 2 years after the date on which the land is acquired, the Secretary of the Interior shall update the management plan for the San Pedro National Conservation Area to reflect the management requirements of the acquired land.

(B) **DRIPPING SPRINGS.**—Land acquired by the Secretary of the Interior under subsection (a)(2)(B) shall be managed in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and applicable land use plans.

(C) **LAS CIENEGAS NATIONAL CONSERVATION AREA.**—Land acquired by the Secretary of the Interior under subsection (a)(2)(C) shall be added to, and administered as part of, the Las Cienegas National Conservation Area in accordance with the laws (including regulations) applicable to the Conservation Area.

(c) **SURRENDER OF RIGHTS.**—In addition to the conveyance of the non-Federal land to the United States under this Act, and as a condition of the land exchange, Resolution Copper shall surrender to the United States, without compensation, the rights held by Resolution Copper under the mining laws and other laws of the United States to commercially extract minerals under Apache Leap.

SEC. 6. VALUE ADJUSTMENT PAYMENT TO UNITED STATES.

(a) **ANNUAL PRODUCTION REPORTING.**—

(1) **REPORT REQUIRED.**—As a condition of the land exchange under this Act, Resolution Copper shall submit to the Secretary of the Interior an annual report indicating the quantity of locatable minerals produced during the preceding calendar year in commercial quantities from the Federal land conveyed to Resolution Copper under section 4. The first report is required to be submitted not later than February 15 of the first calendar year beginning after the date of commencement of production of valuable locatable minerals in commercial quantities from such Federal land. The reports shall be submitted February 15 of each calendar year thereafter.

(2) **SHARING REPORTS WITH STATE.**—The Secretary shall make each report received under paragraph (1) available to the State.

(3) **REPORT CONTENTS.**—The reports under paragraph (1) shall comply with any record-keeping and reporting requirements prescribed by the Secretary or required by applicable Federal laws in effect at the time of production.

(b) **PAYMENT ON PRODUCTION.**—If the cumulative production of valuable locatable minerals produced in commercial quantities from the Federal land conveyed to Resolution Copper under section 4 exceeds the quantity of production of locatable minerals from the Federal land used in the income capitalization approach analysis prepared under section 4(d), Resolution Copper shall pay to the United States, by not later than March 15 of each applicable calendar year, a value adjustment payment for the quantity of excess production at the same rate assumed for the income capitalization approach analysis prepared under section 4(d).

(c) **STATE LAW UNAFFECTED.**—Nothing in this section modifies, expands, diminishes, amends, or otherwise affects any State law relating to the imposition, application, timing, or collection of a State excise or severance tax.

(d) **USE OF FUNDS.**—

(1) **SEPARATE FUND.**—All funds paid to the United States under this section shall be deposited in a special fund established in the Treasury and shall be available, in such amounts as are provided in advance in appropriation Acts, to the Secretary and the Secretary of the Interior only for the purposes authorized by paragraph (2).

(2) **AUTHORIZED USE.**—Amounts in the special fund established pursuant to paragraph (1) shall be used for maintenance, repair, and reha-

bilitation projects for Forest Service and Bureau of Land Management assets.

SEC. 7. WITHDRAWAL.

Subject to valid existing rights, Apache Leap and any land acquired by the United States under this Act are withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 8. APACHE LEAP.

(a) **MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall manage Apache Leap to preserve the natural character of Apache Leap and to protect archeological and cultural resources located on Apache Leap.

(2) **SPECIAL USE PERMITS.**—The Secretary may issue to Resolution Copper special use permits allowing Resolution Copper to carry out underground activities (other than the commercial extraction of minerals) under the surface of Apache Leap that the Secretary determines would not disturb the surface of the land, subject to any terms and conditions that the Secretary may require.

(3) **FENCES; SIGNAGE.**—The Secretary may allow use of the surface of Apache Leap for installation of fences, signs, monitoring devices, or other measures necessary to protect the health and safety of the public, protect resources located on Apache Leap, or to ensure that activities conducted under paragraph (2) do not affect the surface of Apache Leap.

(b) **PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with affected Indian tribes, the Town, Resolution Copper, and other interested members of the public, shall prepare a management plan for Apache Leap.

(2) **CONSIDERATIONS.**—In preparing the plan under paragraph (1), the Secretary shall consider whether additional measures are necessary to—

(A) protect the cultural, archaeological, or historical resources of Apache Leap, including permanent or seasonal closures of all or a portion of Apache Leap; and

(B) provide access for recreation.

(c) **MINING ACTIVITIES.**—The provisions of this section shall not impose additional restrictions on mining activities carried out by Resolution Copper adjacent to, or outside of, the Apache Leap area beyond those otherwise applicable to mining activities on privately owned land under Federal, State, and local laws, rules and regulations.

SEC. 9. MISCELLANEOUS PROVISIONS.

(a) **REVOCATION OF ORDERS; WITHDRAWAL.**—

(1) **REVOCATION OF ORDERS.**—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the land.

(2) **WITHDRAWAL.**—On the date of enactment of this Act, if the Federal land or any Federal interest in the non-Federal land to be exchanged under section 4 is not withdrawn or segregated from entry and appropriation under a public land law (including mining and mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.)), the land or interest shall be withdrawn, without further action required by the Secretary concerned, from entry and appropriation. The withdrawal shall be terminated—

(A) on the date of consummation of the land exchange; or

(B) if Resolution Copper notifies the Secretary in writing that it has elected to withdraw from the land exchange pursuant to section 206(d) of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1716(d)).

(3) **RIGHTS OF RESOLUTION COPPER.**—Nothing in this Act shall interfere with, limit, or other-

wise impair, the unpatented mining claims or rights currently held by Resolution Copper on the Federal land, nor in any way change, diminish, qualify, or otherwise impact Resolution Copper's rights and ability to conduct activities on the Federal land under such unpatented mining claims and the general mining laws of the United States, including the permitting or authorization of such activities.

(b) **MAPS, ESTIMATES, AND DESCRIPTIONS.**—

(1) **MINOR ERRORS.**—The Secretary concerned and Resolution Copper may correct, by mutual agreement, any minor errors in any map, acreage estimate, or description of any land conveyed or exchanged under this Act.

(2) **CONFLICT.**—If there is a conflict between a map, an acreage estimate, or a description of land in this Act, the map shall control unless the Secretary concerned and Resolution Copper mutually agree otherwise.

(3) **AVAILABILITY.**—On the date of enactment of this Act, the Secretary shall file and make available for public inspection in the Office of the Supervisor, Tonto National Forest, each map referred to in this Act.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113-215. Each such amendment may be offered only in the order printed in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113-215.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 4 (page 14, after line 14), add the following new subsection:

(k) **REQUIRING MINING PLAN FOR CONVEYED FEDERAL LANDS TO SUPPORT LOCAL WORKFORCE.**—As an additional condition of the land exchange under this Act, and to ensure compliance with the findings and purpose of this Act specified in section 2, Resolution Copper shall agree—

(1) to locate in the town of Superior, Arizona, or a contiguous, neighboring mining community the remote operation center for mining operations on the Federal land; and

(2) to maintain such remote operation center for the duration of the mining operations on the Federal land.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, repeatedly we have heard this bill is about jobs. We've heard it a lot, and we continue to hear it. We have to pass this bill, so goes the refrain, because it's about jobs in a part of Arizona that really needs jobs.

I understand how important it is to help rural parts of the State. I understand how important it is to help rural

communities across the country. I talk about this all the time—trying to work to advance a policy agenda that translates into real, meaningful opportunities for all Americans and for those sectors of our State, as was previously pointed out by my colleague, Congresswoman KIRKPATRICK, in which unemployment is very, very severe. That's why I think it's important to make sure this bill translates into real and meaningful jobs for the communities that will bear the biggest burden of the proposed mine.

My amendment would require that the Remote Operations Center for the mine be located in the town of Superior, Arizona, or adjacent to another mining community within the Copper Triangle. Modern blockade mines use a range of automation technology, and most of the human labor is done off site at the Remote Operations Center. Like other mines operated by Rio Tinto, which is Resolution Copper's parent company, the Remote Operations Center will likely be in a metro area. Rio Tinto is presently operating its Pilbara, Australia, mine from 800 miles away in a large metro center. Our amendment will ensure that this is not the case in Superior.

If this legislation is really about jobs and lifting up the local economy, it is important to guarantee that local residents will have access to the jobs that were promised and the jobs that were created. My amendment guarantees that the jobs this mine does create will benefit the local community. This amendment, at the very minimum, will realize some real jobs if this legislation is to ever be implemented.

When one reads and hears Rio Tinto brag about automation and technology and the progress in mining, where less labor is needed, and when one listens to the wild variations about jobs from 3,700 to 5,000 to 1,200 to 1,400—and the recent one from the company's own Web site is 1,400—one asks: What is the real number?

□ 1430

Since no mining plan of operation has been submitted, it's impossible to analyze or estimate. So how do we know?

There is nothing in H.R. 687 that guarantees jobs for Superior, Arizona, or any other nearby mining community. With my amendment, we can at least make sure the remote operating center isn't in Utah, where Resolution Copper is headquartered, or some other far-flung place. As part of this legislation, my amendment would require that that center be located in Superior and that the opportunities promised and the jobs created would go into that area.

I urge adoption of my amendment, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

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

The fundamental purpose of H.R. 687 is to facilitate a land exchange; then after that land exchange was done, there would be a production and mining of copper, which of course would create thousands of American jobs.

Mr. Chairman, I have to say that the way this amendment is written, it would make it impossible by creating mandates that just simply couldn't be achieved.

I have to give my friend from Arizona credit. He has made no bones about the fact that he does not like this bill. He said that very well. I don't agree with him, but he has said it very well.

Generally, when you offer an amendment to a bill, however, you offer an amendment to improve the bill. Believe me, Mr. Chairman, this will not improve the bill. In all likelihood, if adopted, it would probably kill the bill because it dictates a precise town where the mine operations should be.

I suspect that the company will have some offices in those areas. That stands to reason if you're going to invest some money. But the Federal Government should not be dictating specifically what town somebody should set up an enterprise.

Mr. Chairman, if you want to go to the absurd, if the idea is to help a distressed area by dictating where you should locate some facility or manufacturing or some company, one could say, Gee, whiz, what city in the United States is really hurting? The first city that comes to mind, of course, is Detroit, Michigan. Are we going to suggest, for example, that the Federal Government dictate that Apple from Cupertino, California, should be relocated to Detroit? Of course that's absurd. Yet, when you start this precedent here that is suggested in this amendment, one could lead to that conclusion in the future.

I urge my colleagues to reject this amendment, pass the underlying bill, and reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield myself the balance of my time.

Interestingly enough, H.R. 687 does mandate that the Federal Government decide when and how NEPA is applied, that the Federal Government mandate what the valuation of the exchange is— independent of a process driven by the company—and it mandates that we deal with water issues after the fact, who gets water protection and who doesn't. Whether it is 10 jobs or 1,000 jobs, all my bill does is hold the company's feet to the fire. You have talked about jobs; you have talked about providing them, saving that community, and rebounding the Arizona economy. Here's an opportunity by guaranteeing that that claim will indeed be a reality if this bill is implemented. I think my amendment actually improves it because it takes some of the rhetoric of promoting the mine and makes it language and legislation that makes the company back it up.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Arizona (Mr. GOSAR), the sponsor of this legislation.

Mr. GOSAR. Mr. Chairman, I want to reiterate that this isn't a new mine. This mine of operations exists currently there today.

The modern-day practices Resolution Copper plans to implement at the Pinal County site are not new. Many mines across the world implement them. In fact, there is a similar project, albeit half the size of our proposed project, that uses the same strategy and technology and employs nearly 1,000 people. That is real-life proof that humans will work at this mine at the site in Arizona.

I thank the chairman for yielding me time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. BEN RAY
LUJÁN OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113-215.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 14, insert the following new subsection:

(k) EXCLUSION OF NATIVE AMERICAN SACRED AND CULTURAL SITES.—The Federal land to be conveyed under this section shall not include any Native American sacred or cultural site, whether surface or subsurface, and the Secretary shall modify the map referred to in section 3(2) to exclude all such sacred and cultural sites, as identified by the Secretary in consultation with affected Indian tribes to determine appropriate measures necessary to protect and preserve sacred and cultural sites. Nothing in this Act shall limit access of affected tribes to these sacred and cultural sites.

The Acting CHAIR. Pursuant to House Resolution 351, the gentleman from New Mexico (Mr. BEN RAY LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I rise today to offer an amendment that would protect Native

American sacred and cultural sites associated with the land conveyance outlined in the bill. This bill transfers land out of the public domain and into the hands of a private mining company with no guarantee of protecting sacred sites.

Currently, the cultural and sacred sites of Apache Leap and Oak Flat are located on public land and not on an Indian reservation. Although these sites are not on an Indian reservation, they're still sacred to the San Carlos Apache, Yavapai Indian Tribe, and other tribes in Arizona, just as a Catholic church, where I practice my faith, is considered a holy place even though it's not located in Vatican City.

Because these sacred and cultural sites are currently on public land, they are protected under certain Federal laws. This bill would transfer the lands that contain these sacred sites to a private company for private ownership, effectively taking away any protections under Federal law.

Additionally, it is important to protect the subsurface area of these sacred sites, which this bill does not do. Native American sacred sites, just as a church or temple, have both surface and subsurface religious quantities. Would we allow subsurface mining below the National Cathedral? I would say not.

I have heard from my colleagues the mining would take place below the ground and therefore leave the sacred sites undisturbed, but this is a rather absurd argument and, quite honestly, not factual.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR), the sponsor of the bill.

Mr. GOSAR. I thank the chairman for allowing me to briefly address this amendment.

Mr. Chairman, the Lujan amendment is well-intentioned but misguided. It would put forth a policy that would undermine existing law that ensures tribal consultation and protection of sacred sites. By giving the Secretary of the Interior unilateral discretion to determine what a sacred site is, Congress would unwittingly undermine a variety of public laws Congress put in place to protect verified sacred sites.

Let me be clear that this land exchange is crafted in such a way as to protect relevant Native American historical and cultural sites. Section 4(i) and 4(j) explicitly require compliance with Federal environmental laws and regulations pertaining to conveyances of Federal land and approval of mine plan of operation. That includes the National Historic Preservation Act, Endangered Species Act, and executive

orders pertaining to wetlands, floodplains, and hazardous material surveys.

I see my colleague may have a picture of Apache Leap. My bill explicitly protects Apache Leap. The bill protects Apache Leap by the following:

It conveys 110 acres of Apache Leap currently owned by Resolution Copper to the U.S. Forest Service, section 5(a)(e); it explicitly prohibits any type of extraction activity at Apache Leap, section 5(c); withdrawing Apache Leap and any land acquired by the U.S. under this act, section 7; requiring the Secretary to develop a management plan for Apache Leap that preserves the natural character of the site and protects agricultural and cultural resources, section 8.

Before I conclude, I want to underscore, H.R. 687 does not exchange any reservation lands. The next Federal parcel is located over 20 miles from the boundaries of the San Carlos Apache Tribe's reservation. While well-intentioned, the Lujan amendment actually undermines that very mission.

Please join me in opposing the amendment.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I yield 1 minute to the very distinguished gentlewoman from Minnesota (Ms. MCCOLLUM), one of the cochairs of the Native American Caucus.

Ms. MCCOLLUM. Mr. Chairman, I rise in strong support of this amendment.

The United States has an obligation to protect and preserve Native American sacred sites located on Federal lands. It is a responsibility we have established through Federal laws, including the American Indian Religious Freedom Act, the National Historic Preservation Act, and the Native American Graves Protection and Repatriation Act.

Mr. LUJÁN's amendment would make sure that we follow these laws. That's what his amendment does; it protects these laws. That's why over 80 tribal organizations support our amendment. My colleagues who oppose this amendment, they claim that all sacred spaces have been protected in this bill. Those claims are simply false.

The San Carlos Apache Tribe is currently working with the Tonto National Forest to conduct a survey of their sacred sites. They have found artifacts and cultural materials and may still discover burial sites in areas that are proposed for exchange in this bill.

I urge my colleagues to support this amendment so that the survey process and tribal consultation can continue.

Mr. HASTINGS of Washington. I inform my friend from New Mexico that I am prepared to close on this amendment if the gentleman is prepared to close, and I reserve the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I yield myself the balance of my time.

I don't know where to begin with the comments suggested by one of my col-

leagues whom I respect, Mr. GOSAR. I don't know how to be more clear.

These sacred sites are on public land. I think it would be a new low for this Congress to go and tell tribes across America that sacred sites that are not located on a reservation are no longer sacred. I'm surprised. I'm appalled. I think tribes across the country would be, as well.

With regard to sections 4(i) and 4(j), I ask the author of the legislation to come back and read it with me. The way that I read this, there's only one section of law that is referred to that can't be enforced because this is on private lands, not on public lands; and the area that's identified in the law is the National Environmental Policy Act.

What happens when this land is given from a public perspective back to a private perspective is we lose the opportunity and ability to enforce the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, and the administration's December 2012 memorandum of understanding to protect sacred sites.

Mr. Chairman, I submit into the RECORD all the organizations across America, including all the tribes from Arizona, that are opposed to this underlying legislation.

Mr. Chairman, I have here not a picture of Apache Leap, but a picture of what happens with blockade mining. So even in the poor attempt that talks about trying to address Apache Leap, the author of the legislation failed to include Oak Flat, which is a sacred site that would be covered here.

This is what happens with blockade mining. Don't take my word for it, as I will submit into the RECORD a presentation by Resolution Copper Mining. In this, which I wish I would have blown up, Resolution Copper shows pictures of how this starts to cave in. It will eventually look like this.

Mr. Chairman, this is a commonsense piece of legislation. In your words, this will improve the law. This will improve what we're trying to do here. This doesn't give the Secretary blanket authority to do anything.

Let's just protect sacred sites and work together. The Congress has always done this. There's a reason why Democrats and Republicans have come together to create a Native American Caucus and to advocate for tribes across America. The Congress has always stood strong.

Mr. Chairman, I ask my colleagues to please give due consideration and support this amendment. I hope to work with the majority and Chairman HASTINGS, whom I respect very much, to try to get this addressed.

I yield back the balance of my time.

TRIBES AND ORGANIZATIONS OPPOSED TO H.R. 687, SE AZ LAND EXCHANGE

TRIBAL ORGANIZATIONS

National Congress of American Indians—the oldest and largest organization representing tribes across the country

National Indian Gaming Association—represents 184 tribes across the country

Inter-Tribal Council of Arizona—represents 20 tribes in Arizona

Inter-Tribal Council of Nevada—represents 27 tribes in Nevada

United South and Eastern Tribes—represents 26 tribes in Maine, New York, Connecticut, Massachusetts, Rhode Island, North Carolina, South Carolina, Alabama, Mississippi, Louisiana, Florida, and Texas and based in Tennessee

California Association of Tribal Governments—represents tribal governments in California

Midwest Alliance of Sovereign Tribes—represents 35 tribes in Minnesota, Michigan, Wisconsin, and Iowa

Affiliated Tribes of the Northwest Indians—represents 57 tribes located in Washington, Oregon, Idaho, Southeast Alaska, Northern California, and Western Montana

All Indian Pueblo Council—represents 20 pueblos located in New Mexico and Texas

Eight Northern Indian Pueblos of New Mexico

Great Plains Tribal Chairman's Association—represents 16 tribes in North Dakota, South Dakota, and Nebraska

Coalition of Large Tribes—represents 14 tribes in North Dakota, South Dakota, Montana, Idaho, Arizona, New Mexico, Utah, Washington

Alaska Inter-Tribal Council

ALABAMA

Poarch Band of Creek Indians, Alabama

ARIZONA

San Carlos Apache Tribe, Arizona

Hopi Tribe, Arizona

Ak-Chin Indian Community, Arizona

Ft. McDowell Yavapai Nation, Arizona

White Mountain Apache Tribe, Arizona

Colorado River Indian Tribes, Arizona

Cocopah Indian Tribe, Arizona

Hualapai Tribe, Arizona

Tohono O'odham Nation, Arizona

Quechan Indian Tribe, Arizona

Tonto Apache Tribe, Arizona

Ft. Mojave Indian Tribe, Arizona, California, and Nevada

Navajo Nation Council, Arizona, New Mexico, and Utah

CALIFORNIA

Susanville Indian Rancheria, California

Coyote Valley Band of Pomo Indians, California

Hopland Band of Pomo Indians, California

Soboba Band of Luiseno Indians, California

California Valley Miwok Tribe, California

Santa Rosa Band of Cahuilla Indians, California

CONNECTICUT

Mohegan Tribe, Connecticut

FLORIDA

Miccosukee Tribe of Indians of Florida

IDAHO

Shoshone-Bannock Tribes, Idaho

KANSAS

Kickapoo Indian Nation, Kansas

LOUISIANA

Jena Band of Choctaw Indians, Louisiana

Tunica-Biloxi Tribe, Louisiana

MAINE

Penobscot Indian Nation, Maine

MASSACHUSETTS

Aquinnah Wampanoag Tribe of Gay Head, MA

MICHIGAN

Saginaw Chippewa Tribe, Michigan

Sault Ste. Marie Tribe, Michigan

MINNESOTA

Leech Lake Band of Ojibwe, Minnesota

Shakopee Mdewakanton Sioux Indian Community, Minnesota

NEVADA

Shoshone-Paiute Tribe, Nevada

Walker River Paiute Tribe, Nevada

NEW MEXICO

Jicarilla Apache Nation, New Mexico

Mescalero Apache Tribe, New Mexico

Pueblo of Zuni, New Mexico

Pueblo of Tesuque, New Mexico

Pueblo of Santa Clara, New Mexico

OKLAHOMA

Cherokee Nation, Oklahoma

Osage Nation, Oklahoma

RHODE ISLAND

Narragansett Tribe

SOUTH CAROLINA

Catawba Indian Nation, South Carolina

SOUTH DAKOTA

Oglala Sioux Tribe, South Dakota

WASHINGTON

Confederated Tribes of the Colville Reservation, Washington

Puyallup Tribe of Indians, Washington

Quinault Indian Nation, Washington

Hoh Indian Nation, Washington

Samish Indian Nation, Washington

WISCONSIN

Lac du Flambeau Band of Lake Superior Chippewa Indians

Oneida Nation, Wisconsin

Sokaogan Chippewa Community, Wisconsin

Stockbridge-Munsee Community, Band of Mohican Indians, Wisconsin

ENVIRONMENTAL AND RELIGIOUS GROUPS OPPOSING H.R. 687/S. 339, SE AZ LAND EXCHANGE

Town of Superior

Queen Valley Golf Association, Queen Valley, Arizona

Queen Valley Homeowners Association, Queen Valley, Arizona

Arizona Mining Reform Coalition

American Lands

Access Fund

Arizona Mountaineering Club

Arizona Native Plant Society

Arizona Wildlife Federation

The American Alpine Club—Golden, CO

Center for Biological Diversity

Chiricahua-Dragoon Conservation Alliance

Comstock Residents Association—Virginia City, NV

Concerned Citizens and Retired Miners Coalition—Superior, AZ

Concerned Climbers of Arizona, LLC

Earthworks

Endangered Species Coalition

Environment America

Environment Arizona

Friends Committee' on National Legislation

Friends of Ironwood Forest—Tucson, AZ

Friends of the Boundary Waters Wilderness

Friends of The Cloquet Valley State Forest

Friends of the Kalmiopsis—Grants Pass, OR

Friends of Queen Creek

Gila Resources Information Project

Grand Canyon Chapter—Sierra Club

Great Basin Mine Watch

Groundwater Awareness League—Green Valley, AZ

High Country Citizens' Alliance—Crested Butte, CO

Information Network for Responsible Mining—Telluride, CO

Keepers of the Water—Manistee, MI

League of Conservation Voters

Maricopa Audubon Society—Phoenix, AZ

Ministers' Conference of Winston-Salem, North Carolina & Vicinity

The Morning Star Institute—Washington, D.C.

Mount Graham Coalition—Arizona

Natural Resources Defense Council

National Wildlife Federation

Progressive National Baptist Convention

Religion and Human Rights Forum for the

Preservation of Native American Sacred

Sites and Rights

Rock Creek Alliance—Sandpoint, ID

San Juan Citizens Alliance—Durango, CO

Save Our Cabinets—Heron, MT

Save Our Sky Blue Waters—Minnesota

Save the Scenic Santa Ritas

Sierra Club

Sky Island Alliance

The Lands Council—Spokane, WA

Tucson Audubon Society

Water More Precious Than Gold

Western Lands Exchange Project—Seattle, WA

Wilderness Workshop

Wisconsin Resources Protection Council—

Tomahawk, WI

Yuma Audubon Society

BLOCK CAVE MINING

Block caving is an efficient technique that uses gravity to extract ore. A series of tunnels is developed below the orebody to ensure that rock will fall by gravity into a series of collection points. Loaders then collect the ore and transport it to an underground crusher, and the crushed ore is conveyed through shafts for processing. The orebody at the Resolution Copper project is very deep, approximately 7,000 feet underground, and the ore is dispersed in nature (1%–2% copper). Because of this, we have determined that the block caving method is the most practical and environmentally sensitive approach to our mine. Please read on to learn more about block caving—the mining method of choice for the Resolution Copper project.

BLOCK CAVING AND SUBSIDENCE

The positive aspects of a block cave mine include no overburden waste piles on surface, and no large open pits. One consequence of block cave mines, however, is the potential for surface subsidence or settling. Surface subsidence is caused as the material above the orebody gradually moves downward to replace the ore that has been mined.

Using industry standard engineering practices, we are able to predict both the cave and subsidence zones based on orebody knowledge gained during our pre-feasibility drilling work. However, the best understanding of caving and subsidence will come once mining begins.

PROTECTING APACHE LEAP

Our commitment to protecting Apache Leap is absolute, and we are taking a variety of steps to ensure that the area is not harmed as a result of our mining activities.

KEEPING A CLOSE WATCH ON SUBSIDENCE

Mining will start at a point away from Apache Leap. This will allow us to gather technical information over a period of years to reassess the cave and subsidence angles. This data will be used to ensure the Apache Leap easement is not impacted as mining progresses to the west.

This information will allow us to identify any possible threat to Apache Leap as a result of our mining activities. If a threat is identified, we will change our mining practices to ensure the Leap is protected.

WHY THE MINE WOULD BE AFFECTED BEFORE APACHE LEAP

It is important to note that the way the mine will be constructed adds to the protection of Apache Leap. Here's why:

A series of three shafts is required to provide fresh air to the underground workers and equipment. This will include the existing #9 Shaft and two new shafts in the same

area. These shafts will be the main lifeline to the mine and will cost in excess of \$500 million to build. The mine could not operate without these shafts.

The way we plan to mine means that the subsidence zone would approach the boundary of the shaft complex after 15 years of mining. At that point in time, the subsidence zone would still be more than 3,000 feet from the boundary of the Apache Leap easement and would take another 25 years to reach the boundary of the conservation easement that will protect the Leap. In simple terms, subsidence would jeopardize the mining operation long before it affected Apache Leap or Queen Creek Canyon.

SUMMARY

Subsidence evaluations and predictions will be regularly updated as more geological information is gathered and more powerful predictive tools are developed. Once caving commences, a comprehensive continuous monitoring system will be used to track the progression of the cave, validate subsidence predictions and check the suitability of the mine plan.

For more information on our block caving approach please visit our website at www.resolutioncopper.com, email info@resolutioncopper.com, or call our Resolution project hotline at 520-689-3409.

AN OVERVIEW OF BLOCK CAVING

While block caving is not a new concept, it is gaining popularity as a safe and cost-effective method of mining deep orebodies. Resolution Copper's goal is to not only create a profitable and thriving mining operation in Superior, but also to meet or exceed today's environmental and social standards. Block caving helps us achieve this by keeping the mining footprint small and reducing the amount of waste rock.

HOW IT WORKS

Block cave mining in its simplest form operates in the same way sand falls through an hourglass.

Block caving involves a three phase process of blasting and tunneling to form the shape of an hourglass out of rock.

Phase A involves blasting an upper cavern of broken rock.

Phase B involves drilling a tunnel underneath the broken rock cavern.

Phase C involves blasting a narrow neck (drawbell) that allows broken cavern rock to fall through the drawbell down into the underlying tunnel.

In block caving where the base of the hourglass shape is a confined tunnel, the speed of rock falling through the hourglass neck (drawbell) is controlled by the speed at which rock is removed from the tunnel.

As broken rock in the upper cavern falls through the neck or drawbell, the roof of the cavern gradually collapses further to create more broken rock within the cavern. This process is continued until all the rock ore is removed via the tunnel.

The end result? Block caving could allow a valuable natural resource to be developed using a proven mining method that is safe, financially viable and minimizes impact to the environment. At the same time, the mine and the businesses that support it would bring social and economic benefits to the region for generations.

□ 1445

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

It is critical that the Congress listen to and show respect to Indian tribes and their elected leaders. And, Mr. Chairman, it's for that reason that

when I had the privilege of becoming chairman of the Natural Resources Committee, a new Subcommittee on Indian and Alaska Native Affairs was established. That hadn't been the case prior to my assuming the chairmanship of that committee. And the purpose was to ensure a special forum for issues and concerns important to Indian tribes and to native people.

It's important that Indian tribes have a role and are consulted on decisions that affect their land and their reservation lands.

But I just want to make a couple of points: this bill does not waive any existing laws dealing with Native Americans, none whatsoever.

Mr. BEN RAY LUJÁN of New Mexico. Will the chairman yield?

Mr. HASTINGS of Washington. If I have time, I will be more than happy to yield.

But probably more specific on this, this area that we're talking about in Arizona known as the Copper Triangle has been mined for—well, a long time. And this particular land exchange is right kind of in the middle of this Copper Triangle. And the closest Indian reservation is some 20 miles away.

Now I understand that, as in my area in central Washington, I know that Native Americans moved around, and that's certainly the case in Arizona. I understand that. But the effect of this amendment, the effect of this amendment would undermine our responsibility in Congress by giving total authority, total authority to the Secretary of the Interior to make determinations on whether sacred sites or other things important to Native Americans are violated. I think that's contrary to what our role is here.

And again, this law does not waive any—existing laws. None at all. In fact, we specifically, notwithstanding the fact that the nearest reservation is 20 miles away, we specifically say there should be consultation before this project goes forward. So I think this amendment is unnecessary.

I would be happy to yield to my friend from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. I thank the chairman.

Mr. Chairman, I don't believe that anyone is suggesting that items are being waived.

The fact of the matter is, when land is transferred from a public domain to a private domain, it goes away. And that's the problem here. And I am glad to hear—and I know the profound respect that Chairman HASTINGS has for tribes across the country and the sacred sites, protections—

Mr. HASTINGS of Washington. Reclaiming my time, just to make the point that the gentleman's amendment, the intent is to address Native American issues. That's what we should be debating.

And I am just simply saying, if you affect Native American issues by implication, you would be waiving them. We are not waiving anything. We are re-

specting the laws that are in place right now.

I urge rejection of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT NO. 3 OFFERED BY MRS. NAPOLITANO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113-215.

Mrs. NAPOLITANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (page 25, after line 12), add the following new section:

SEC. 10. SAVINGS CLAUSE.

Nothing in this Act shall be construed to affect any other provision of law protecting water quality and availability.

The Acting CHAIR. Pursuant to House Resolution 351, the gentlewoman from California (Mrs. NAPOLITANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Chairman, my amendment is very simple. On page 25, after line 12, it adds a new section. Section 10, the savings clause, would require that there be no adverse impacts on water quantity and water quality in the development of this project.

This year, over half of our Nation is experiencing moderate to severe drought. As of last week, 75 percent of the State of Arizona is in moderate to severe drought.

The lifeblood of any nation, of any country, is water. We must do everything we can to protect this precious resource. The mining activities of Resolution Copper, a joint subsidiary of Australian BHP Billiton and of Anglo Australian Rio Tinto Group, would require an enormous amount of water, estimated to be more than 20,000 to 40,000 acre-feet per year. In fact, the Forest Service testified that understanding the impact of this mine on the water supplies of local communities is still "outstanding." On average, 1 acre-foot of water is enough water for a family of four for a year. Resolution Copper's water could be equivalent to at least 20,000 households' water supply for a year.

They also erroneously suggest that their own water demands could be

solved by the use of Central Arizona Project water, called the CAP. However, as with most of the West, demand often exceeds supply, and the bulk of the Central Arizona Project water is already dedicated and committed to other uses and users in Arizona. This includes for use in future Arizona Indian water rights settlements.

The proposed mining operation would also require significant excavation thousands of feet below the surface. H.R. 687 does not require an environmental review, does not include consideration of mitigation measures to the mining project before the land exchange is completed. And I repeat: it does not require an environmental review, consideration of mitigation measures of the mining project before the land exchange is completed.

The mining company is also not required to submit a plan of operations until 3 years—3 years—after the land exchange is codified. Absent the NEPA process, the impacts to water would not be known prior to the land exchange. Neighboring communities have already seen an impact to their water resources from other mining activities.

Chairman Rambler of the San Carlos Apache tribe testified in March of this year, right here in Washington, D.C., that a neighboring community's water supply had been significantly depleted since Resolution Copper began pumping groundwater to de-water parts of the Magma Mine. H.R. 687's permitting of the mine at Oak Flat brings up similar concerns for the tribe.

We should not be considering this legislation now since we do not know the impacts to water resources for area tribes. At the very least, we should ensure that we do not violate existing laws to protect water quantity and

water quality. That is what my amendment does. It protects water quality and water quantity.

My amendment seeks to protect our most precious resource, water. And I urge my colleagues to vote "yes" on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

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

Mr. Chairman, I urge my colleagues to reject this amendment because this amendment in no way risks water supply or safety. In fact, it upholds existing laws that protect water quality and availability. And probably the best way to illustrate that is to simply look at the support for this bill, especially from those that reside in the State of Arizona and represent people in the State of Arizona.

We all know that Arizona is a very diverse State. I have a very diverse State in Washington. And certainly California is diverse geographically. But there are certain areas in that State that are very dry. Water is very, very important.

Now, I daresay that no Member from Arizona would support a bill that would jeopardize water in Arizona. Yet we have heard on the floor here the bipartisan support of those from Arizona, representing Arizonans that support this bill. So I think that that issue, frankly, is simply not valid at all.

This amendment may sound like it's well intended. But what it really will

do, there would be red tape involved with this because of the vagueness of the language in this amendment. And I think really what this amendment is, in deference to my good friend from California, it's an open invitation. In fact, Mr. Chairman, you might call it an ambulance siren for lawyers to start filing lawsuits in this issue. One more area. Goodness knows, there are going to be lawsuits anyway. This would be one more, in my view, if this amendment is passed.

And finally, I would just say this: 100 percent of the water needs of this mine will be secured before production commences.

So with that, I urge rejection of the amendment, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I might add that the town near the mine, Superior, opposes this bill, and I believe the mayor was recently recalled because he also opposed it.

We have businesses and other entities supporting it. But the residents in the nearby areas, especially tribal areas, are opposed to it for a majority of reasons, which have been brought up before, but also, especially because they are in drought conditions, and they are not assured that their water will be protected or that they will be able to have enough water for their own needs. So I request that this amendment be included.

I include in the RECORD the current Drought Monitor dated September 24, including the areas which indicate the current drought conditions.

I do not have any further speakers, and I yield back the balance of my time.

U.S. DROUGHT MONITOR—ARIZONA
(Drought Conditions (Percent Area))

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4-D4
Current	14.80	85.17	61.91	25.28	0.00	0.00
Last Week (09/17/2013 map)	12.81	87.19	66.82	30.35	1.94	0.00
3 Months Ago (06/25/2013 map)	0.00	100.00	92.49	74.44	23.48	0.00
Start of Calendar Year (01/01/2013 map)	0.00	100.00	97.91	37.78	8.68	0.00
Start of Water Year (09/25/2012 map)	0.00	100.00	100.00	31.93	5.67	0.00
One Year Ago (09/18/2012 map)	0.00	100.00	100.00	31.93	5.67	0.00

Intensity:
D0 Abnormally Dry
D1 Drought—Moderate
D2 Drought—Severe
D3 Drought—Extreme
D4 Drought—Exceptional

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements. <http://droughtmonitor.unl.edu>.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Arizona (Mr. GOSAR), the sponsor of this legislation.

Mr. GOSAR. Mr. Chairman, this is another amendment that's well-intentioned but misguided. An amendment to include a savings clause assumes that my legislation circumvents existing laws protecting water quality and availability. That is simply not the case.

The NEPA process on the mine plan of operation required by my legislation will be managed by the United States Forest Service, where they oversee an independent third-party consultant to assess all environmental impacts of the proposed resolution project, including impacts to groundwater and surface water.

The NEPA process allows for considerable public as well as other Federal EPA, State, county, and local input all along the way. Any issues pertaining to water will be addressed once Resolution Copper files a mine plan of operation and the subsequent State and Federal and environmental analysis is

conducted, in accordance with existing law. This is like government over-seeing government. That's ludicrous.

And I ask my colleagues to vote "no" on this amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I urge my colleagues to reject this amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. NAPOLITANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 113-215 on which further proceedings were postponed, in the following order.

Amendment No. 1 by Mr. GRIJALVA of Arizona.

Amendment No. 3 by Mrs. NAPOLITANO of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 227, not voting 25, as follows:

[Roll No. 489]

AYES—180

Andrews	Duckworth	Larson (CT)
Barber	Edwards	Lee (CA)
Barrow (GA)	Ellison	Levin
Bass	Engel	Lewis
Beatty	Enyart	Lipinski
Bera (CA)	Eshoo	Loeb sack
Bishop (GA)	Esty	Lofgren
Bishop (NY)	Farr	Lowenthal
Blumenauer	Fattah	Lowe y
Bonamici	Fudge	Lujan Grisham (NM)
Brady (PA)	Gabbard	Luján, Ben Ray
Braley (IA)	Gallego	(NM)
Brown (FL)	Garamendi	Lynch
Brownley (CA)	Garcia	Maloney, Carolyn
Bustos	Gibson	Matsui
Butterfield	Grayson	McCollum
Capps	Green, Al	McDermott
Capuano	Green, Gene	McGovern
Cárdenas	Grijalva	McIntyre
Carney	Gutiérrez	McNerney
Carson (IN)	Hahn	Meeks
Cartwright	Hanabusa	Meng
Castor (FL)	Hastings (FL)	Michaud
Castro (TX)	Heck (WA)	Miller, George
Chu	Hinojosa	Moore
Cicilline	Holt	Moran
Clarke	Honda	Nadler
Clay	Horsford	Napolitano
Cleaver	Hoyer	Neal
Clyburn	Huffman	Negrete McLeod
Cohen	Israel	Nolan
Connolly	Jackson Lee	O'Rourke
Conyers	Jeffries	Owens
Courtney	Johnson (GA)	Pallone
Crowley	Johnson, E. B.	Pascarell
Cuellar	Jones	Pastor (AZ)
Cummings	Kaptur	Payne
Davis (CA)	Keating	Pelosi
Davis, Danny	Kelly (IL)	Peters (MI)
DeFazio	Kennedy	Peterson
DeGette	Kildee	Pingree (ME)
DeLauro	Kilmer	Pocan
DelBene	Kirkpatrick	Price (NC)
Deutch	Kuster	Quigley
Doggett	Langevin	
Doyle	Larsen (WA)	

Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishok
Bentivoglio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Granger

Alexander
Becerra
Buchanan

Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko

NOES—227

Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce

NOT VOTING—25

Costa
Dingell
Frankel (FL)

Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Welch
Wilson (FL)
Yarmuth

Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoho
Young (FL)
Young (IN)

Herrera Beutler
Higgins
Kind
Labrador
Maloney, Sean
McCarthy (NY)
Paulsen
Perlmutter
Roby
Rush
Sanchez, Loretta
Schwartz

□ 1524

Messrs. STOCKMAN, ISSA, CASSIDY, GOHMERT, GARDNER, and Mrs. BACHMANN changed their vote from “aye” to “no.”

Mr. ELLISON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PAULSEN. Mr. Chair, on rollcall No. 489, had I been present, I would have voted “no.”

AMENDMENT NO. 3 OFFERED BY MRS. NAPOLITANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 217, not voting 24, as follows:

[Roll No. 490]

AYES—191

Amash	DeFazio	Johnson (GA)
Andrews	DeGette	Johnson, E. B.
Barber	Delaney	Jones
Barrow (GA)	DeLauro	Kaptur
Bass	DelBene	Keating
Beatty	Deutch	Kelly (IL)
Becerra	Doggett	Kennedy
Bera (CA)	Doyle	Kildee
Bishop (GA)	Duckworth	Kilmer
Bishop (NY)	Edwards	Kirkpatrick
Blumenauer	Ellison	Kuster
Bonamici	Engel	Langevin
Brady (PA)	Enyart	Larsen (WA)
Braley (IA)	Eshoo	Larson (CT)
Brown (FL)	Esty	Lee (CA)
Brownley (CA)	Farr	Levin
Bustos	Foster	Lewis
Butterfield	Fudge	Lipinski
Capps	Gabbard	Loeb sack
Capuano	Gallego	Lofgren
Cárdenas	Garamendi	Lowenthal
Carney	Garcia	Lowe y
Carson (IN)	Gibson	Lujan Grisham (NM)
Cartwright	Grayson	Luján, Ben Ray
Castor (FL)	Green, Al	(NM)
Castro (TX)	Green, Gene	Lynch
Chu	Grijalva	Maffei
Clarke	Gutiérrez	Maloney, Carolyn
Clay	Hahn	Matsui
Cleaver	Hanabusa	McCollum
Clyburn	Hastings (FL)	McDermott
Coffman	Heck (WA)	McGovern
Cohen	Himes	McIntyre
Connolly	Hinojosa	McNerney
Conyers	Holt	Meehan
Cooper	Honda	Meeks
Courtney	Horsford	Meng
Crowley	Hoyer	Michaud
Cuellar	Huffman	Miller, George
Cummings	Israel	Moore
Davis (CA)	Jackson Lee	
Davis, Danny	Jeffries	

Gingrey (GA)
Gowdy
Hall

Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel

Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Welch
Wilson (FL)
Yarmuth

NOT VOTING—24

Alexander
Buchanan
Cicilline
Costa
Dingell
Fattah
Frankel (FL)
Gingrey (GA)
Gowdy
Hall
Herrera Beutler
Higgins
Kind
Maloney, Sean
McCarthy (NY)
Perlmutter
Roby
Rush
Sanchez, Loretta
Schwartz
Scott, Austin
Waxman
Yoder
Young (AK)

□ 1533

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHENRY) having assumed the chair, Mr. MEADOWS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 687) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 2914

Ms. SPEIER. Mr. Speaker, I ask unanimous consent that Mr. BACHUS and Ms. JACKSON LEE be removed as cosponsors of H.R. 2914.

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

There was no objection.

HEALTH CARE COSTS

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, many Americans are bewildered as to what is happening in Washington, and understandably so. But really the goal is pretty simple: we do need to keep this government running, while also protecting Americans from the harmful effects of the new health care law known as ObamaCare.

Until now, the debate over health care has been largely in the abstract, but now many Americans are recognizing just how hurtful this is. Mr. Speaker, we need the right type of health care reform, but we don't need skyrocketing premiums or plans that erode health care liberties.

Mr. Speaker, Yvonne just wrote to me from Nebraska. She said that, for her family of five, their monthly insurance premiums are going to nearly double. She asked: "How can we call this the Affordable Care Act?"

Rodney just wrote to me. He's a self-employed truck driver. He told me he may have to sell his truck just to afford the insurance.

Mr. Speaker, since parts of this law have already been delayed, isn't it only fair that we delay the entire implementation for at least a year, giving us time to create the right type of health care reform, one that reduces costs and improves health care outcomes while also protecting the vulnerable in our society? That's what Americans deserve.

PANCREATIC CANCER RESEARCH

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I recently met with a passionate group of constituents from Rhode Island who told me of their family's struggle with pancreatic cancer. In particular, Katie Boucher recently recounted the story of her mother, Marie Boucher, who was diagnosed in 2008 and passed away just a year later in 2009 at the age of 59.

Her story resonated with me not only because my own grandfather battled pancreatic cancer and ultimately passed away from the disease, but because an estimated 45,000 people were diagnosed with this illness in 2013 alone.

Despite great advances in medical science, we are still woefully behind the mark when it comes to pancreatic cancer. To make matters worse, the budgetary impacts of sequestration are forcing cutbacks at the National Institutes of Health, which is responsible for funding much of the biomedical research across the country. Mr. Speaker, we can achieve deficit reduction without sacrificing the vital research that not only drives better health outcomes, but also drives our local economy.

Mr. Speaker, I ask my colleagues to join me in urging stronger funding for NIH and a stronger focus on biomedical research, not just for Marie Boucher and her daughter, but for the thousands of people who are fighting for their lives in every single district across the country.

RECOGNIZING PUERTO RICAN BAR ASSOCIATION OF FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take a minute today to recognize a remarkable south Florida organization, the Puerto Rican Bar Association of Florida, that will soon be celebrating its 10th-year anniversary in Miami.

Over the past 10 years, the association has been dedicated to public service in my home State of Florida, preserving the civil rights, the political rights and responsibilities of Puerto Ricans as Americans, as well as Floridians.

The Puerto Rican Bar Association of Florida also serves as an educational

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Aderholt
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishke
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (MO)

Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry

Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberti
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoho
Young (FL)
Young (IN)