

McClintock
McHenry
McIntyre
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
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Pompeo

Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)

Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
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
Yoder
Yoho
Young (AK)
Young (IN)

Walz
Waters
Watt
Welch
Wilson (FL)
Yarmuth

Aderholt
Bass
Campbell
Cooper
Cramer

Diaz-Balart
Herrera Beutler
McCarthy (NY)
Rush
Sanford

Wasserman
Schultz
Waxman

NOT VOTING—12

□ 1418

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

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

Record votes on postponed questions will be taken later.

CENTRAL OREGON JOBS AND
WATER SECURITY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2640) to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2640

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Central Oregon Jobs and Water Security Act”.

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a)(72) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(72)) is amended as follows:

(1) By striking “15-mile” and inserting “14.75-mile”.

(2) In subparagraph (B)—

(A) by striking “8-mile” and all that follows through “Bowman Dam” and inserting “7.75-mile segment from a point one-quarter mile downstream from the toe of Bowman Dam”; and

(B) by adding at the end the following: “The developer for any hydropower development, including turbines and appurtenant facilities, at Bowman Dam, in consultation with the Bureau of Land Management, shall analyze any impacts to the Outstandingly Remarkable Values of the Wild and Scenic River that may be caused by such development, including the future need to undertake routine and emergency repairs, and shall propose mitigation for any impacts as part of any license application submitted to the Federal Energy Regulatory Commission.”.

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058), (as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954)) is further amended as follows:

(1) By striking “ten cubic feet” the first place it appears and inserting “17 cubic feet”.

(2) By striking “during those months when there is no other discharge therefrom, but this release may be reduced for brief temporary periods by the Secretary whenever he may find that release of the full ten cubic feet per second is harmful to the primary purpose of the project”.

(3) By adding at the end the following: “Without further action by the Secretary, and as determined necessary for any given year by the City of Prineville, up to seven of the 17 cubic feet per second minimum release shall also serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the up to seven cubic feet per second to coincide with City of Prineville groundwater pumping as may be required by the State of Oregon. As such, the Secretary is authorized to make applications to the State of Oregon in conjunction with the City to protect these supplies instream. The City shall make payment to the Secretary for that portion of the minimum release that actually serves as mitigation pursuant to Oregon State law for the City in any given year, with the payment for any given year equal to the amount of mitigation in acre feet required to offset actual City groundwater pumping for that year in accordance with Reclamation ‘Water and Related Contract and Repayment Principles and Requirements’, Reclamation Manual Directives and Standards PEC 05-01, dated 09/12/2006, and guided by ‘Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies’, dated March 10, 1983. The Secretary is authorized to contract exclusively with the City for additional amounts in the future at the request of the City.”.

SEC. 4. FIRST FILL PROTECTION.

The Act of August 6, 1956 (70 Stat. 1058), as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954), is further amended by adding at the end the following:

“SEC. 6. Other than the 17 cubic feet per second release provided for in section 4, and subject to compliance with the Army Corps of Engineers’ flood curve requirements, the Secretary shall, on a ‘first fill’ priority basis, store in and release from Prineville Reservoir, whether from carryover, infill, or a combination thereof, the following:

“(1) 68,273 acre feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011, and up to 2,740 acre feet of water annually to supply the McKay Creek lands as provided for in section 5 of this Act.

“(2) Not more than 10,000 acre feet of water annually, to be made available to the North Unit Irrigation District pursuant to a Temporary Water Service Contract, upon the request of the North Unit Irrigation District, consistent with the same terms and conditions as prior such contracts between the District and the Bureau of Reclamation.

“SEC. 7. Except as otherwise provided in this Act, nothing in this Act—

“(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

“(2) amends or reopens contracts referred to in paragraph (1); or

“(3) modifies any rights, obligations, or requirements that may be provided or governed by Oregon State law.”.

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District in Oregon, may repay, at any time, the construction costs of

NOES—188

Andrews
Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Ciilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Galego
Garamendi

Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joh
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Malone
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George

Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schradner
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky

the project facilities allocated to that landowner's lands within the district. Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all lands the landowner owns in the district, those lands shall not be subject to the ownership and full-cost pricing limitations of the Act of June 17, 1902 (43 U.S.C. 371 et seq.), and Acts supplemental to and amendatory of that Act, including the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to that landowner's lands owned within the district, the Secretary of the Interior shall provide the certification provided for in subsection (b)(1) of section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing legislation to the contrary, the district's reclamation contracts are modified, without further action by the Secretary of the Interior, to—

(1) authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) classify as irrigable approximately 685 acres within the approximately 2,742 acres of included lands in the vicinity of McKay Creek, where the approximately 685 acres are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights; and

(4) provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of lands added within the district boundary and classified as irrigable under paragraphs (2) and (3), with such stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the State's issuance of water rights for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section shall be construed to—

(1) modify contractual rights that may exist between the district and the United States under the district's Reclamation contracts;

(2) amend or reopen the contracts referred to in paragraph (1); or

(3) modify any rights, obligations or relationships that may exist between the district and its landowners as may be provided or governed by Oregon State law.

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

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

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

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2640, sponsored by our colleague, Mr. WALDEN of Oregon, is an important step towards restoring water and power abundance and jobs to a rural area that has been devastated by Federal logging restrictions.

This bill is a reflection of years of negotiation, and it is identical to the bill this Chamber passed last year without opposition. Its supporters include those who would normally be water adversaries in most parts of the West. Municipalities, irrigators, the Warm Spring tribes, utilities, organized labor, and an environmental organization have all come together to support this legislation.

I want to commend my friend, the gentleman from Oregon (Mr. WALDEN), for his good work to bring all these parties together and urge adoption of this legislation.

I reserve the balance of my time.

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

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

Mr. GRIJALVA. Mr. Speaker, H.R. 2640, as my colleague described, does several things, including providing water and economic certainty to the City of Prineville and the Ochoco Irrigation District. The legislation also outlines how reclamation is to operate and manage the Prineville Reservoir through the first fill provision and removes some flexibility on reclamation's part to mitigate and adapt to changing conditions.

We do not fully support the first fill provision but understand that there are ongoing negotiations that look at providing the certainty that the city needs while protecting the environment. Stakeholder-driven processes are the best way to address local needs.

We look forward to working with our colleagues in the Senate and on the other side of the aisle to ensure that all of the needs are met and protected.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. I thank Chairman YOUNG, and thank you for your help on this, and Chairman HASTINGS as well. Mr. GRIJALVA, thank you for your comments, and I want to thank Representative DEFAZIO for his work on this, among many others.

Mr. Speaker, as was pointed out, in 2012 this bill passed the House unanimously, and I am glad to see this legislation is once again before this Chamber. The legislation is a collaborative effort between the City of Prineville, Crook County, local farmers, the Deschutes River Conservancy, the Confederated Tribes of Warm Springs, among others. I am grateful for their efforts in creating and moving this legislation forward. This bill we have be-

fore us will create jobs in central Oregon and will remove government red tape.

This is actually a photo of Bowman Dam. This is what we are talking about. When the "wild and scenic" designation was passed by Congress, they sort of arbitrarily and temporarily, at the time—this was decades ago—placed the wild and scenic designation line right here in the yellow stripe of the road. Now, I have told people that the only thing wild and scenic about a dam is if you are falling over the face of it and tumbling down, then it might be wild and scenic.

What we seek to do is move this boundary off the center of this dam and go down about a quarter of a mile where the river really becomes natural. As a result of that, then we are pretty well convinced that a company will come in and add clean, renewable hydropower through a generation facility on the dam. The result of that, then, is the water will come out with less gasification so it will be better for fish.

So we will get about 50 construction jobs for 2 years, good-paying construction jobs for 2 years as they install this hydropower facility. We will get enough hydroelectricity to light, I think it is, 500 homes. So you get clean hydropower and you get construction jobs. The water will come out from a different place and actually be better for the fish going forward, and all we do is move the scenic boundary down to where, frankly, probably everyone would agree, it should have been, not on the center line at the top of the dam where cars drive over it, but rather down about a quarter of a mile.

In addition to that, this facility, about 20 miles upriver from Prineville, is a reclamation project that holds about 80,000 acre-feet of uncontracted water. That is part of the discussion: What do you do with that uncontracted water? This is rare in the Federal Government to have a facility where all of the water hasn't been determined. That is an issue that can be dealt with down the road. We don't deal with that here other than to make sure that Prineville has access to that 6 percent, about 5,100 acre-feet, of water.

And why is that important? Because the City of Prineville, right now, is constricted. They don't have enough water. And this is a small, rural community with high unemployment in the county. We would make sure that they get about 5,100 acre-feet of water. They would pay fair market price for the value of the water, and that extra water would allow the city to not only meet its residential needs, which it cannot do today, but also allow it to engage in more economic development, which it desperately needs to do.

This water issue came to our attention initially because Facebook was planning, and has since constructed, a data center which they have now doubled in size. Apple is also constructing a data center there. Both of them need water for cooling. They have been able

to be more efficient about how they do that, but they still need water. And others will.

Because the city would access the water through the ground and not from directly behind the dam, the water actually flows downstream in excess of about 20 miles, which is better for the fish to have that much more water going and released down the dam, and then the city would, through their underground pumps, pump the water out. In dry years, particularly in the winter, this higher release requirement would benefit fish and wildlife, including the Blue Ribbon trout fishery below Bowman Dam. And as I said, it fixes this problem with the wild and scenic designation and creates 50 jobs.

Additionally, the bill expedites the McKay Creek restoration project. This is something we worked closely with the Warm Springs tribal leaders on because it would increase water flows for redband trout and summer steelhead. This project has long been supported by the Warm Springs tribes and the Deschutes River Conservancy, and so I want to thank both Warm Springs and Deschutes Conservancy for their work on this issue and on, especially, McKay Creek. It is a very good, commonsense conservation project.

So this is a good, commonsense, job-creating bill. It is the culmination of years of work in a collaborative effort.

I want to thank the mayor of Prineville. Mayor Roppe has testified before the committee on a couple of occasions. Judge McCabe has been terrific in helping us, as have been many others as we have moved this forward.

So this is a jobs bill that doesn't cost the government anything. It is a good, clean water bill that helps the community provide jobs and take care of its citizens, and it resolves a longstanding issue that has been a problem for this area. Actually, this debate has gone on since Mark Hatfield was in the Senate back in the 1970s. So I appreciate the committee's diligent efforts on this and the bipartisan way we are moving forward on this piece of legislation.

With that, Mr. Speaker, I ask for your unanimous support of this bill.

Mr. YOUNG of Alaska. I thank the gentleman for his presentation. He has done an excellent job.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Mr. YOUNG of Alaska. I have no further speakers.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 2640.

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

A motion to reconsider was laid on the table.

□ 1430

ALASKA NATIVE TRIBAL HEALTH CONSORTIUM LAND TRANSFER ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 623) to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 623

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alaska Native Tribal Health Consortium Land Transfer Act".

SEC. 2. CONVEYANCE OF PROPERTY.

(a) DEFINITIONS.—In this section:

(1) ANTHC.—The term "ANTHC" means the Alaska Native Tribal Health Consortium.

(2) PROPERTY.—The term "property" means the property described in subsection (d).

(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, but not later than 90 days after that date, the Secretary shall convey to ANTHC all right, title, and interest of the United States in and to the property for use in connection with health and related programs. The Secretary's conveyance of title by warranty deed under this section shall, on its effective date, supersede and render of no future effect any quitclaim deed to the property described in subsection (d) executed by the Secretary and ANTHC.

(c) CONDITIONS.—The conveyance of the property under this Act—

(1) shall be made by warranty deed;

(2) shall not require any consideration from ANTHC for the property;

(3) shall not impose any obligation, term, or condition on ANTHC; and

(4) shall not allow for any reversionary interest of the United States in the property.

(d) DESCRIPTION OF PROPERTY.—The property (including all improvements thereon and appurtenances thereto) to be conveyed under this Act is described as follows: Tract A-3A, Tudor Centre, according to plat no. 2013-43, recorded on June 20, 2013 in Anchorage recording district, Alaska.

(e) ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of Federal law, ANTHC shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination, including any oil or petroleum product, any hazardous substance, hazardous material, hazardous waste, pollutant, toxic substance, solid waste, or any other environmental contamination or hazard as defined in any Federal or State law, on the property on or before the date on which the property was conveyed by quitclaim deed.

(2) EASEMENT.—The Secretary shall be accorded any easement or access to the property as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(3) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this Act, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman

from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

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

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

H.R. 623 transfers by warranty deed a 2.79-acre parcel of federal land located in Anchorage, Alaska, from the Indian Health Service to the Alaska Native Tribal Health Consortium. This consortium is a nonprofit authorized by Congress to render health services to Alaska Natives under a contract with the Indian Health Service.

The land has been used for parking to accommodate nearby facilities run by the consortium and the Indian Health Service. It will be used to construct a patient housing facility, thereby expanding its capacity to offer vital health services for Alaska Native patients, some of whom travel great distances from rural areas to receive care.

Following a subcommittee hearing on the bill in May, the Indian Health Service administratively conveyed the land to the consortium by quitclaim deed. H.R. 623 remains necessary because transferring the land by warranty deed provides cleaner title to the property than by quitclaim deed.

The bill was also referred to the Committee on Energy and Commerce. The chairman of that committee, Mr. UPTON, has kindly foregone action on the bill in the interest of expediting it for consideration on the House floor. I thank him for his cooperation and have an exchange of letters memorializing our agreement. CBO estimates that H.R. 623 would have no significant impact on the Federal budget and would not affect direct spending on revenues.

H.R. 623 is non-controversial, and I hope the House will pass it.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 1, 2013.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN HASTINGS, I write concerning H.R. 623, Alaska Native Tribal Health Consortium Land Transfer Act, which was ordered to be reported out of your Committee on July 31, 2013. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 623 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction, and the Committee will not in any way be prejudiced with respect to the appointment of conferees