Oklahoma City Memorial were enacted without studies at all. Both were sponsored by Members from the other side of the aisle. So precedent has been set for bills to be acted on prior to the study being completed or even without studies.

In addition, on November 17, I want to just remind my colleagues that the National Park Service testified in the committee to the fact that Castle Nugent has met their criteria for suitability and national significance. We're confident in the National Park Service's testimony and that the final opinion will reflect what was testified to; but it is necessary for us to act expediently, as there is risk of losing the property if we don't move quickly.

Mr. BISHOP of Utah. In closing, whether this cattle ranch becomes part of our national inventory or not may indeed be a good idea. But one of the things I think we are saying right now is the scope these processes have to go through—and the process does become important. Poor process produces poor policy. What we are arguing in this particular case is if we should allow the process to go through to its completion. There are questions that still have to be asked that yet have a quantified answer to them. Neighbors may be in support, but we want those things quantified, which should be part of the process that is there.

There should be private property rights in this particular document for the protection of private property owners, and that should be boilerplate language we add in all legislation—not just this, but the rest that comes through. The question that we should be asking, which is what the study should be asking as well, is not necessarily do we go forth in this particular one but should we look at this as the only way of preserving or moving forward on this cattle ranch in the future? Is this indeed the best way? Are there other concepts that could be used? And should this be the $50 million budget priority of this particular Congress? Those are the types of questions that should have been answered in the committee before this bill moved forward, and that's what we asked in committee and we're asking again on the floor.

This may indeed be the proper use of turning this former cattle ranch into a national asset, but there are still questions that should have been asked in a proper process to make sure that this is the right policy at this particular time. And that's why we have objections to this particular bill, not necessarily the substance of it, but the manner and mechanism of what we are doing, because there are still too many unanswered questions.

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

Ms. BORDALLO. Mr. Speaker, I again urge the Members to support the bill, H.R. 3726, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3726, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

BLM CONTRACT EXTENSION ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3759) to authorize the Secretary of the Interior to grant economy-related contract extensions of a certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3759

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

SECTION 1. QUALIFYING TIMBER CONTRACT OPTIONS.

(a) DEFINITIONS.—In this section:

(1) QUALIFYING CONTRACT.—The term ''qualifying contract'' means a contract that has not been terminated by the Bureau of Land Management for the sale of timber on lands administered by the Bureau of Land Management that meets all of the following criteria:

(A) The contract was awarded during the period beginning on January 1, 2005, and ending on December 31, 2008.

(B) There is unharvested volume remaining for the contract.

(C) The contract is not a salvage sale.

(D) The Secretary determined there is not an urgent need to harvest under the contract due to deteriorating timber conditions that developed after the award of the contract.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of Bureau of Land Management.

(3) TIMBER PURCHASER.—The term ''timber purchaser'' means the party to the qualifying contract for the sale of timber from lands administered by the Bureau of Land Management.

(b) MARKET-RELATED CONTRACT EXTENSION OPTION.—Upon a timber purchaser's written request, the Secretary may make a one-time modification to the qualifying contract to add 3 years to the contract expiration date if the written request—

(1) is received by the Secretary not later than 90 days after the date of enactment of this Act; and

(2) contains a provision releasing the United States from all liability, including further consideration or compensation, resulting from the modification under this subsection of the term of a qualifying contract.

(c) REPORTING.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report detailing a plan and timeline to promulgate new regulations authorizing the Bureau of Land Management to extend and renegotiate timber contracts due to changes in market conditions.

(d) REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall promulgate new regulations authorizing the Bureau of Land Management to extend and renegotiate timber contracts due to changes in market conditions.

(e) NO SURRENDER OF CLAIMS.—This section shall not have the effect of surrendering any claim by the United States against any timber purchaser that arose under a timber sale contract, including a qualifying contract, before the date on which the Secretary adjusts the contract term under subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. 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 gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Nation's recent economic downturn has dramatically affected the forest products industry, especially those companies reliant on wood from Federal lands. Currently, the Forest Service has several options for helping timber companies amend the terms of timber contracts that are no longer economically viable. However, the Bureau of Land Management does not have the same authorities.

H.R. 3759, introduced by our distinguished colleague from Oregon, Representative DEFAZIO, would help rural economies and struggling timber companies by allowing the Secretary of the Interior to add 3 years to the expiration date of certain BLM timber contracts. This authority is similar to the Forest Service authority and would enable companies to wait for a better economic climate.

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Mr. Speaker, we commend Representative DEFAZIO for his efforts to support rural communities by proposing this legislation. We support the passage of H.R. 3759 and urge its adoption by the House today.

I reserve the balance of my time.

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

This particular bill has been well explained by the distinguished gentlelady from Guam. Up front, I would like to say that I have basically favored this bill introduced by the distinguished gentleman from Oregon. In concept, it is a good bill, and I actually will be voting for it on the floor. However, I do want to state that there are two particular problems, once again, with the process, which are very perplexing and

concerning to me, and I think it's something we ought to discuss.

This bill has been changed—I think significantly—since it left the committee on November 18. An amendment was added at 12:58—that is the date on it, today. Admittedly, we knew about it maybe an hour before that, but an amendment that changes this bill significantly was added today. That is not the process you go through. Once again, poor process will equate to poor public policy.

The amendment that was added in here took out salvaged sales on BLM land. That is not what was in the bill when it went through committee, and I would suggest that I am not in favor of that change to a very good bill. We will be told, I'm assuming, that this change was made to conform what practices we do on BLM with national forest land. However, what we are doing is changing the law to conform to an agency regulation, which is, indeed, backwards.

Congress should be establishing what our requirements are and what our practices are, not forcing Congress to try to regulate ourselves and relate ourselves to what an agency of government, through its own internal regulations, does. So I am opposed to this amendment, which was added within the very last 2 hours. That should not be there and was not discussed in committee.

I am also opposed in one particular way to the concept that this was made from a ''shall'' to a ''may.'' I would like it very much more had it been with the original language that Representative DEFAZIO proposed in making this a ''shall'' issue as opposed to simply making this or any other bill that comes before us today into a ''may,'' to make it at the whim of the Secretary.

Now, with those two conclusions, I will say that this is still a good bill. This is still a bill that I think should go forward. This is a bill that should have gone forward in the way it came out of committee, in which it was a stronger and better bill, and I will still vote on it on the floor. But I am perplexed with these changes that have been made that weaken this bill and do not improve it and, more importantly, with the process we are going through to make these last-minute changes when they should have been done with full committee hearing, with full committee discussion, and full committee markup.

In closing, let me just apologize for making a misstatement in the first place. I am told now that there is a statute that since has been done by the National Forest Service, so the statutes are consistent. They are consistently wrong, but they are still consistent here. It is still the wrong thing to do, and those salvaged sales should have been approved on both BLM as well as national forest land, and I still resent the process that went through, even though what I said was technically wrong earlier.

With that, I intend to vote ''yes'' because I think the DeFazio bill is a good bill. It needs to go forward. It is the right thing to do, but we could have done a whole lot better if we had really put our minds to it.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3759, as amended.

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

The title of the bill was amended so as to read: ''To authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes.''.

A motion to reconsider was laid on the table.

INDIAN ARTS AND CRAFTS AMENDMENTS ACT OF 2010

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 725) to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 725

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 ''Indian Arts and Crafts Amendments Act of 2010''.

SEC. 2. INDIAN ARTS AND CRAFTS.

(a) CRIMINAL PROCEEDINGS; CIVIL ACTIONS; MISREPRESENTATIONS.—Section 5 of the Act entitled ''An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes'' (25 U.S.C. 305d) is amended to read as follows:

''SEC. 5. CRIMINAL PROCEEDINGS; CIVIL ACTIONS.

''(a) DEFINITION OF FEDERAL LAW ENFORCEMENT OFFICER.—In this section, the term 'Federal law enforcement officer' includes a Federal law enforcement officer (as defined in section 115(c) of title 18, United States Code).

''(b) AUTHORITY TO CONDUCT INVESTIGATIONS.—Any Federal law enforcement officer shall have the authority to conduct an investigation relating to an alleged violation of this Act occurring within the jurisdiction of the United States.

''(c) CRIMINAL PROCEEDINGS.—

''(1) INVESTIGATION.—

''(A) IN GENERAL.—The Board may refer an alleged violation of section 1159 of title 18, United States Code, to any Federal law enforcement officer for appropriate investigation.

''(B) REFERRAL NOT REQUIRED.—A Federal law enforcement officer may investigate an alleged violation of section 1159 of that title regardless of whether the Federal law enforcement officer receives a referral under subparagraph (A).

''(2) FINDINGS.—The findings of an investigation of an alleged violation of section 1159 of title 18, United States Code, by any Federal department or agency under paragraph (1)(A) shall be submitted, as appropriate, to—

''(A) a Federal or State prosecuting authority; or

''(B) the Board.

''(3) RECOMMENDATIONS.—On receiving the findings of an investigation under paragraph (2), the Board may—

''(A) recommend to the Attorney General that criminal proceedings be initiated under section 1159 of title 18, United States Code; and

''(B) provide such support to the Attorney General relating to the criminal proceedings as the Attorney General determines to be appropriate.

''(d) CIVIL ACTIONS.—In lieu of, or in addition to, any criminal proceeding under subsection (c), the Board may recommend that the Attorney General initiate a civil action under section 6.''.

(b) CAUSE OF ACTION FOR MISREPRESENTATION.—Section 6 of the Act entitled ''An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes'' (25 U.S.C. 305e) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively;

(3) by inserting before subsection (b) (as redesignated by paragraph (2)) the following:

''(a) DEFINITIONS.—In this section:

''(1) INDIAN.—The term 'Indian' means an individual that—

''(A) is a member of an Indian tribe; or

''(B) is certified as an Indian artisan by an Indian tribe.

''(2) INDIAN PRODUCT.—The term 'Indian product' has the meaning given the term in any regulation promulgated by the Secretary.

''(3) INDIAN TRIBE.—

''(A) IN GENERAL.—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).

''(B) INCLUSION.—The term 'Indian tribe' includes, for purposes of this section only, an Indian group that has been formally recognized as an Indian tribe by—

''(i) a State legislature;

''(ii) a State commission; or

''(iii) another similar organization vested with State legislative tribal recognition authority.

''(4) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.'';

(4) in subsection (b) (as redesignated by paragraph (2)), by striking ''subsection (c)'' and inserting ''subsection (d)'';

(5) in subsection (c) (as redesignated by paragraph (2))—

(A) by striking ''subsection (a)'' and inserting ''subsection (b)''; and

(B) by striking ''suit'' and inserting ''the civil action'';

(6) by striking subsection (d) (as redesignated by paragraph (2)) and inserting the following:

''(d) PERSONS THAT MAY INITIATE CIVIL ACTIONS.—

''(1) IN GENERAL.—A civil action under subsection (b) may be initiated by—

''(A) the Attorney General, at the request of the Secretary acting on behalf of—

''(i) an Indian tribe;

''(ii) an Indian; or

''(iii) an Indian arts and crafts organization;