provide the support necessary to create this industry.

We also ought to be making it in America. One of my bills, H.R. 6217, would require that 85 percent of the content of these turbines and solar systems be made in America.

WE HAVE TO BE PREPARED

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

Mr. BURTON of Indiana. Mr. Speaker, we had an attack in Cairo on our Embassy yesterday, and we had an attack in Benghazi, and we lost the Ambassador there. He was killed along with three other people.

I've been on the Foreign Affairs Committee now for about 30 years, and I've never seen anything like what we've seen in the northern tier of Africa. All the way across the northern tier, we've seen the spring that they're talking about, and how things are changing and how democracy is coming.

The fact of the matter is Iran is taking advantage of what's going on over there by sending intermediaries into all those countries to undermine them. I was just in the Persian Gulf recently, and there is absolutely no question that Iran is doing everything they can to undermine all those governments over there.

When you look at what happened in Egypt with the Muslim Brotherhood taking over, we in this country ought to be very much aware that this is not the end of it. It's not going to go away. The administration or the new President, whoever it is that takes office in January, they're going to have to have a very strong foreign policy because we still get about 35 percent of our energy from that region.

This is not going to end right now. It's going to go on. We have to be prepared.

MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to revise and extend their remarks and include extraneous material on H.R. 5544.

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

There was no objection.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 773 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. 5544.

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

□ 1230

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. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, with Mr. SIMPSON 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.

Mr. Chairman, I support H.R. 5544, the Minnesota Education Investment and Employment Act.

This bill will rectify a decades-old injustice that was imposed by Congress during the Carter administration to ensure that funding for schools and education in Minnesota is carried on.

When Minnesota became a State, it received certain parcels of land from the Federal Government set aside to help fund education. These lands, known as school trust lands, were specifically established to provide funding for Minnesota public schools. Responsible timber management, mineral development, and other economic uses of these lands would generate the revenue that would benefit every child in the State.

However, in 1978, Congress designated the Boundary Waters Canoe Area Wilderness and a portion of these trust lands became trapped inside the wilderness area and inaccessible, therefore, for economic development. This caused a decline in funding, then, for local schools.

H.R. 5544 would implement a bipartisan plan that was passed by the Minnesota State Legislature and signed by Democrat Governor Dayton to authorize a no-cost land exchange. It would allow Minnesota school trust lands, locked away within the Federal wilderness area, to be exchanged for Federal land from the multiple-use Superior National Forest. State forest lands would be fairly exchanged for Federal forest lands.

But typical of the attitude held by many Democrats that spending more of taxpayers' money will solve the problem, the critics of this bill have suggested that the Federal Government should simply buy these inaccessible trust lands at a potential cost of tens of millions of dollars. This is at the same time when the Federal Government has had more than a $1 trillion budget deficit for the last 4 years under this President.

However, the much-needed solution in this bill would consolidate State-held lands within the wilderness area and allow the State of Minnesota to access and develop new trust lands from the Superior National Forest. This will benefit State schools at no cost to the Federal taxpayers, with the additional benefit of job creation and economic development.

Let me elaborate on that, Mr. Chairman. It has been shown time and again that States are far more effective managing lands for sustainable use and revenue generation than the Federal Government. For example, in my home State of Washington, they have been able to produce more than a thousand times the revenue for education on 2.2 million acres of State trust land, as opposed to the U.S. Forest Service, which is able to generate only four times that amount, 9 million acres. In other words, regenerate a thousand-percent revenue on one-fourth of the land because it's administered by the State. I think the same principle can apply to Minnesota.

Putting these State lands back to productive use for education will increase funding for schools across the State, while at the same time creating new opportunities for job creation and economic growth.

This bill is more than a land exchange. It's about keeping a promise when Minnesota became a State. It's about correcting the 34-year consequences of Federal action that restricted access to this vital asset. It's about ensuring that children and schools have the funding that they deserve and were promised. So I urge support of this bill.

With that, I reserve the balance of my time.

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

Mr. Chairman, Federal land grants to States for education have resulted in the transfer of more than 77 million acres of land to over 30 States. These well-meaning acts, taken over 200 years ago, have left communities across the country with a fragmented pattern of land ownership.

Through the Northwest Ordinance enacted in 1787, Minnesota was granted 8.3 million acres of school trust lands. Today, the State has only 2.5 million acres left, with 93,000 located in the Boundary Waters Canoe Area Wilderness. Proponents of this legislation claim this will right inequities caused by the designation of the Boundary Waters Canoe Area Wilderness. For most of us, it would seem like common sense to do a land trade, but I think most of us would also want a land trade that is fair to both sides.

The State of Minnesota recently enacted State legislation that would allow an exchange of State and Federal

lands. While controversial, it garnered bipartisan support and didn't include language suggesting that we need to waive Federal laws.

As my colleague, Congresswoman MCCOLLUM, will tell us, the State did their job. It is now time for Congress to do our job. Our job is to protect taxpayer assets and the democratic process. Congressman CRAVAACK's bill fails on both of these accounts. We just need to look at the facts.

By failing to require the standard public process that allows all Americans the ability to participate and comment on the exchange of assets, H.R. 5544 robs the citizens of this Nation of their right to participate in the democratic process.

Unlike every other land trade bill brought before this Congress, we have no map showing what Federal lands will go into State ownership for development. Neither the people of Minnesota nor the people of the United States have any idea that we will lose lands critical to protecting drinking water or vital to hunting or motorized recreation. There is no map. The Federal lands to be traded are not identified.

Three Native American tribes have tribal treaties guaranteeing tribal members the right to hunt, fish and gather in the Superior National Forest. This bill potentially deprives these tribes of their access rights.

Second, by failing to ensure that our assets are appropriately valued as part of the exchange, Congressman CRAVAACK's bill shortchanges the American taxpayer. H.R. 5544 defers to the State of Minnesota to decide the value of Federal lands. When Congress authorizes the sale or exchange of Federal assets, it is our job to make sure the Federal Government is getting a good deal.

Again, for every land exchange this Congress has considered, we have relied on standard appraisal processes that are well understood by real estate professionals and land managers. Overriding this practice is like buying a house based on an appraisal provided by the owner, with the owner admitting they really don't have an updated assessment.

Such a scheme fails to protect the interests of the American taxpayers who own this land. We are not talking about a couple million dollars of taxpayer assets here. Estimates nearly a decade old placed the value of these lands at nearly $100 million.

Third, it is not clear this legislation is going to accomplish its stated goal: education investment. During committee consideration of this legislation, Minnesota school officials testified that of the $9,000 per year spent on an average Minnesota student, $26, less than 1 percent, comes from school trust lands receipts. This entire bill is geared to making up the $650,000 the State believes it has lost, a mere drop in the bucket for the overall necessary education investment.

□ 1240

An amendment offered by Congressman HASTINGS that is self-executed in the rule shortchanges three counties in Minnesota. Since 1948, Congress has and continues to provide St. Louis, Cook, and Lake Counties mandatory annual payments to compensate them for lost revenues related to the designation of the Boundary Waters Canoe Area Wilderness. Since the passage of the Boundary Waters Canoe Area Wilderness Act, these counties have received nearly $60 million in compensation from Thye-Blatnik payments alone. Last year, these payments amounted to $6 million. Chairman HASTINGS' amendment stops increases in these payments, which CBO estimates would be approximately $1 million. This is ironic, considering the entire bill is justified on the State estimating the exchange will increase their school trust revenues by $650,000 a year. Wouldn't it make more sense to go back and see if we can make better use of the existing money going to the State and to the counties?

Finally, this bill fails to garner broad and bipartisan support. Not one Democrat from the Minnesota delegation has cosponsored the legislation. Nearly 25 organizations in the State have written Congress in opposition to the legislation. Minnesota Backcountry Hunters and Anglers, representing over 2 million hunters and anglers, oppose the bill. The Star Tribune's editorial board says the bill ''fails the credibility test'' and ''is about converting forest land to mining.''

Many of us, including myself, have had bills to accelerate the land exchange process. However, those bills have safeguards like ensuring that the public can participate in the process; safeguards like ensuring Uncle Sam won't become Uncle Sucker, leaving taxpayers with a raw deal; safeguards like ensuring treaties guaranteeing access to tribes are not impacted. This bill has none of those safeguards. There are ways to do land exchanges that earn public support, garner bipartisan endorsements, and protect taxpayers. This bill fails on all counts and should be rejected.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 8 minutes to the sponsor of this legislation, somebody who has worked extremely hard on behalf of his constituents to correct the injustice that was imposed in 1978, the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. I thank the chairman for yielding.

I rise today in support of H.R. 5544, the Minnesota Education Investment and Employment Act. This bill supports all schools in the State of Minnesota, creates good-paying jobs in northern Minnesota, and makes the Boundary Waters Canoe Area Wilderness whole for the first time since its creation.

First, a little bit of history. When Minnesota became a State in 1858, sections 16 and 36 of every township were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education. In the beginning, the State leaders decided to sell some of the more valuable parcels of school trust lands. But around the turn of the century they realized they needed more sustainable plans and began putting the school trust lands to productive use: timber and mining in my district. As Democrat State Representative Denise Dittrich has so ably educated me, these lands are not so much owned by the State as held in trust by the State and owned by the schoolchildren of Minnesota. It is the responsibility of school trust fund trustees to maximize the return of these lands for the benefit of this fund for our children. This is written in the Minnesota constitution.

But in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. The lands within the Boundary Waters cannot be logged, leased, sold, or mined in order to preserve the unique wilderness character of this pristine land. But as a result of its creation, Minnesota and its students have been faced with an 86,000-acre problem for over 30 years. Eighty-six thousand acres of State-owned school trust lands have been landlocked within the borders of the Boundary Waters and have been unable to produce critical funding for Minnesota public education. It is imperative that we resolve this longstanding problem. Our goal is to preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education. It's a win-win. Unfortunately, Minnesota schoolkids and their teachers have been cheated out of public education funding now for over 34 years.

Finally, after years of inaction, stalling, and dilatory tactics by special interest groups, Republicans and Democrats have come together in Minnesota and said: Enough is enough. On March 22 of this year an overwhelming majority of Democrats and Republicans in the State passed senate file 1750 by a vote of 53–11 to pass the bill. On April 3, the house followed suit, passing their bipartisan bill by 90–41. On April 27, Democrat Governor Mark Dayton signed the bill into law.

H.R. 5544 executes the bipartisan State plan. This bill would exchange State-owned school trust lands trapped in the Boundary Waters Canoe Area Wilderness to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters. Additionally, this bill includes important provisions that would ensure Minnesotans can maintain their hunting and fishing rights within the Boundary Waters. To be clear, this bill does exempt only the land exchange portion from NEPA. The land exchange itself would have no environmental impact, and any future development

would still be subject to strict State and Federal regulations. Again, a land swap is merely a redrawing of maps and has no environmental impact in and of itself.

I want to be very transparent here, though. One of my goals is to have this bill create good-paying jobs in northern Minnesota. The lands listed in senate file 1750 are rich in natural resources. Many of them lie within portions of the Superior National Forest that are already being successfully mined for timber. It's a working forest and creates thousands of good-paying jobs in the region. Northern Minnesotans need these opportunities, and every American benefits from the steel and the lumber that goes into our cars and our homes.

I generally support the aims of NEPA, but obstructionist and special interest groups have a track record of abusing the NEPA process. The State of Minnesota cannot afford to be sued by environmental groups for years into the future just for the sake of blocking this land exchange. I will not allow special interest groups, acting in bad faith, to abuse the NEPA process and use frivolous lawsuits to block and derail this land exchange at the taxpayers' expense. Schoolkids and teachers in Minnesota can't wait years, possibly decades, for this funding. In the school district where I live, North Branch, Minnesota, some classes have 40 kids and the school has been reduced to a 4-day school week. You call this progress?

This legislation will generate a lot of funding for our schools and create good-paying jobs. Importantly, the Minnesota Education Investment and Employment Act would not eliminate a single acre of Boundary Waters land and cost nothing to the American taxpayer. In fact, it would add acreage within the existing wilderness area boundaries while giving Minnesota schoolchildren the land that rightfully belongs to them.

I urge my colleague to support this bill.

Mr. GRIJALVA. I yield such time as she may consume to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. The House should not be spending its limited floor time on this bill. The House should be debating the American Jobs Act, the President's plan to put nearly 2 million Americans back to work without adding a dime to the deficit. Instead, today, the Republican majority has a land exchange bill on the floor that is completely unnecessary. I want to stress that. It is unnecessary. The State of Minnesota and the U.S. Forestry Service have all the authority they need to finalize this land exchange—and finalization is what they are working on.

There's a stakeholder process underway in Minnesota to determine this proposed land sale and exchange. And it's underway. And they're going to do it. And they're working on it, with everyone at the table. So why are we debating this bill at all?

I was a State representative for many years, and I worked on a lot of land exchanges. And I have never worked on a land exchange that has been so unnecessary as what I'm being asked to vote on today. This is a reckless bill, and it also sets a terrible precedent.

□ 1250

This legislation does not specify what lands are to be exchanged. Yes, we know about the school's trust fund land, and that's specified, we know where that is, but we don't know what lands are to be exchanged. We don't know what the finished product is.

Members of Congress are being asked to endorse a land exchange without knowing what lands will be exchanged. This legislation does refer to a bill in the Minnesota State legislature, and the Minnesota State legislation does not include a map of the Federal lands to be exchanged. It does not include a map.

This is the first time in the history of this Congress—of Congress—to bring a bill, a land exchange, to the floor without maps specifying what lands are to be exchanged. The first time in history. Every Member of this House should be asking themselves one simple question: where are the maps?

Now, as I said, I've done many land exchange bills in my service in the Minnesota legislature, and the first rule of all of those land exchange bills is don't forget what you are exchanging out. We always had maps. We had the cost, we had the value, and the public input, and I believe the Minnesota State legislators should be able to finish that process themselves working with the U.S. Forestry, working in a transparent fashion to know exactly what we're voting on.

Why are maps important? Because without a map it's impossible to determine how many Minnesotans could possibly see their property rights threatened by this bill. Can anyone here today tell me how many Minnesota cabin owners could open up their front doors and find a lack of public access to water that they have used and recreated in for years? There's no map. No one can answer that question.

Can anyone tell me how many millions of dollars Minnesota will lose in property value because of issues like this, because of H.R. 5544? No one can answer that question because there are no maps.

This bill could, and I believe will, greatly reduce public access to hunting, fishing, and snowmobiling in areas where the public currently has access. Minnesota Backcountry Hunters and Anglers is a sportsmen's conservation group. They represent over 2 million hunters in Minnesota and anglers as well. The group sent a letter to the U.S. Members of the House this month opposing this bill, and I'd like to quote from it. ''It provides no protective measures for how the land may be used, and no assurances that existing activities like hunting and angling would continue.'' Why? Because there is no map.

There are also 700 miles of snowmobile trails in Superior National Forest that could be at risk because of this bill, trails where public and private trails intermingle and where public and private entities have worked for years raising money and revenues to be able to recreate. But no one can tell me, not Mr. CRAVAACK, not Mr. HASTINGS, no one here, no one can tell me how many trails, lakes, and hunting areas could be closed by this bill because there is no map.

In addition, this bill eliminates the public's ability to participate in any decisionmaking process because it waives the National Environmental Policy Act process.

This is just not the way we do things in Minnesota. We bring people together at the table. We make sure everyone is at the table: the State, the Federal Government, the local governments, the property owners, the hunters, the anglers, the tribal nations, the conservationists, the taxpayers, and yes, the job generators. We make sure that decisions are transparent, and transparency means you have to include a map.

We make sure to get fair market value for land that is sold in exchange so that it's in the best interest of the taxpayers.

As a Member of Congress representing Minnesota, and as a Member of the House Interior Subcommittee, I want to stress I am committed to supporting land exchange so that it is a good deal for Minnesota, a good deal for the American taxpayers, and I'm committed that the process that's in place in Minnesota moves forward.

I serve with those northern legislators. They have fought for years to get something on the table. They deserve to have the process finish and finish correctly. They need good legislation, not bad legislation. Minnesota will produce good legislation.

There is a stakeholders group in Minnesota that is working to determine if the land proposal is fair and transparent. They're not at the table, folks. It does not require a congressional action to finalize their proposal. It does not take congressional action to move forward the legislation that has passed and been signed into law by the Governor.

This bill is unnecessary, it is reckless, and it sets a dangerous precedent for this House for the first time ever to vote on a land exchange without a full, complete map.

The House should defeat H.R. 5544, and it should allow Minnesota to move forward without this interference and this recklessness.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 4 minutes to the chairman of the subcommittee that dealt with this legislation, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, you know, we do processes here in government, and hopefully we do them for a reason. But when the process we have harms kids, we should ask ourselves why do we have this slavish devotion to the process.

The problem before the State of Minnesota today is simply Federal action that took place 34 years ago that took lands guaranteed and devoted to the kids of Minnesota and took them away by Federal action.

I live in a State that does have a State trust lands policy where the use of that school makes a significant contribution to the education of our kids. It wasn't always that way. We took it seriously.

The State of Minnesota now wants to take this process seriously and develop resources that would be beneficial for their kids in a significant way and equalize the process, as we do in my home State, to benefit all the kids that are in public education.

This is one of those situations in which we have had plenty of time to solve this problem but obviously the Federal Government has not moved forward to give to the State of Minnesota what will benefit their kids.

In the hearing we had on this particular bill, the Forest Service said, Yeah, we can do this process. Give us about 4 years to evaluate all of these lands. Our Constitution gives us a right to a speedy trial. I wish it gave us a right to speedy decisions by bureaucrats. In 4 years an entire class of kids can start and finish high school without having any benefit from these lands that were theirs in the first place.

I do not know why those who constantly breathe the air of the Potomac River are the ones who are always wringing their hands and dragging their feet, but it seems to be the same way.

Mr. Chairman, you and I worked in the State legislature, where we had time limits. I had 45 days to get something accomplished or you didn't do it.

I taught school on trimesters. I had 90 days to cover the material, or I didn't get to do it. Can you imagine what would happen if the principal came to me and said, We're going to do our final test on Tuesday. And I said, I'm sorry. I couldn't possibly cover all of that material by Tuesday. Maybe in 4 years from Tuesday I might be able, if you're lucky, to get through the material and actually be ready for that particular test.

One of the issues in this campaign is indeed dealing with permits. What takes my State 45 days on average or less to permit takes the Federal government 307 days on average to do it. That's the process we're talking about here.

The State of Minnesota has a State process in place. It covers tribal issues. It covers all of the issues that are there, and this would take precedence. The State of Minnesota is just as smart as the Federal Forest Service in solving these problems, except the State of Minnesota wants to do it quickly and the Federal Forest Service is not.

This will also eliminate potential delaying litigation using Federal laws to actually do that.

Look. It is simply time for us to realize that if this bill passes, it helps the Forest Service because it takes away inholding problems. It also helps kids of Minnesota because it guarantees a funding source for their education in the future. We should be doing our job and moving us forward and taking this process away from an agency that moves at glacial speed to help kids.

□ 1300

It is time. It's time we do something to help kids instead of harming kids. This bill helps kids, and I am proud to vote for it.

Mr. GRIJALVA. Mr. Chairman, part of the argument is that the Forest Service is dragging its feet and will not allow this process to continue. I would suggest that the Minnesota Legislature came to the realization it was something they needed to do. That process was initiated, legislation was passed, and that process continues. The role of the Federal Government in hindering that does not exist. This was a volition and a decision that Minnesota and its representatives had to take.

On June 22, 1948, President Truman signed legislation into law to authorize the acquisition of private lands within what is now known as the Boundary Waters Canoe Area Wilderness. The legislation was promoted as a way to protect important natural resource values from commercialization and to compensate Cook, Lake, and St. Louis Counties for the loss of private tax revenue.

During the legislative process, Congressman Blatnik argued that counties should receive 12 cents per acre of Federal land for compensation of lost property tax revenues. The Truman administration, arguing that the 12 cents per acre figure was excessive, negotiated compensation to three-quarters of 1 percent of fair market value, which is the way the law was enacted and stands today.

Each year since, these counties have received mandatory payments, adjusted periodically to reflect increased property values. Last year, these payments totaled over $6 million. Under the funding formula, more Federal lands mean more Federal money. Absent the Hastings amendment, Lake, Cook, and St. Louis Counties, all within the sponsor of this legislation's district, stood to receive another $1 million annually.

We raised questions regarding this payment from the time the bill was heard in subcommittee until the bill was reported from full committee. In fact, I sent letters to each county commissioner in these counties trying to learn more about how these funds were used. I received two responses. Both indicated they support the current Thye-Blatnik formula and relied on these payments to compensate for lost property tax revenue. Surprisingly, no one wants to talk about these payments because they would be considered earmarks—earmarks which the sponsor voted against supporting, along with many other members of his caucus.

I represent a district with a lot of Federal lands. My counties get payments through PILT and through Secure Rural Schools. We have to fight like crazy to extend payments every time these bills come for reauthorization. Yet today, we have a bill that purports to be about education funding for Minnesota kids. What kind of role models are we if we can't even have an educated conversation about what Federal money is currently going to Minnesota?

Let's just look at the arithmetic. Minnesota State Representative Denise Dittrich testified before the committee that the State was losing $650,000 annually from foregone revenues because the State trust lands were within the wilderness area. She supports the enactment of this legislation to make up for the revenue. Yet, because of the Hastings amendment, this legislation actually takes $1 million in revenue away from the Counties of Lake, Cook, and St. Louis.

Are we robbing Peter to pay Paul? That's the question.

I reserve the balance of my time.

SEPTEMBER 6, 2012.

To: Amelia Jenkins.

Subject: Request from Ranking Member Grijalva related to Thye Blatnik.

DEAR AMELIA, As a county commissioner in Cook County Minnesota I am opposed to any change in the long standing, reasonably established (with the Boundary Waters legislation many years ago) legislation that has, in effect, the Federal Government making payments to Cook, Lake, and St. Louis counties that makes up for property taxes that were lost by locking this land into the federal wilderness system.

There was much local opposition and controversy surrounding the establishment of this wilderness, which was for the benefit of the whole country, and these payments were established to offset taxes lost and create a more positive relationship between these 3 counties and the federal government.

This is one case where the history of the legislation needs to be revisited and reasons for it need to be properly understood.

Thanks,

JIM JOHNSON,
Cook County Commissioner (District 4, which includes Cook Counties portion of the boundary waters).

LAKE COUNTY, MINNESOTA,
BOARD OF COMMISSIONERS,
Two Harbors, MN, September 10, 2012.

Ranking Member RAÚL GRIJALVA,
Subcommittee on National Parks, Forests and Public Lands, Committee on Natural Resources, Longworth House Office Building, Washington, DC.

DEAR RANKING MEMBER GRIJALVA: This letter is in response to your recent inquiry regarding the 1948 Thye-Blatnik (T–B) Act payments to the Tr-Counties of Northeastern Minnesota. Given the tight timeline of your request and the limited amount of legislative days remaining in the 112th Congress, I understand the urgency of your request and have tried my best to provide you with the answers to the questions that we received from your staff.

I must begin, by first explaining that there are a couple limitations which I face in attempting to answer your questions. First, Lake County only has a population of 11,000 people and our tax base is very, very, low because over 80% of our large land mass is now government-owned. Thus, we do not have the kinds of resources or readily available personnel to rapidly respond to each of your questions at a deep level of detail. I will try my best, however, to at least cover the basics.

An additional hindrance is this county and several others here in the Arrowhead Region of Northeastern Minnesota were victims of a flood earlier this summer. The President declared us a Federal Disaster Area and we have been just ''swamped'' with FEMA personnel and state officials helping us to cope with what has been described as a ''once in every 500 year flood.'' Understandably, public safety and getting our roads and bridges repaired along with getting hundreds of homeowners back into their homes, has been and continues to be our number one priority.

BACKGROUND/HISTORY: The following is a brief background and history of the Thye-Blatnik Act, which will hopefully give you some insight into just how this 1 million acre Wilderness, now known as the Boundary Waters Canoe Area Wilderness, came into being. If you research the original title of the bill, HR. 2642, it reads, ''A bill to safeguard and consolidate certain areas of exceptional public value . . . within Minnesota''. The bill title truly helps to get at the heart of what ultimately lead to the passage of this legislation. The ''exceptional value'' of the lands located within the Boundary Waters were so deemed because, quite frankly, that's exactly what they were. And, the value of these lands, especially what they meant to the local economy, became the focal point of the deliberations on the bill.

In the following paragraphs and in addition to some historical points, I quote to you some of the direct testimony, written history, and rationale that best describes why Congress concluded that in order to create this eventual million acre wilderness, some sort of adequate compensation had to be given to the affected counties who would be giving up their current and future ''priceless'' tax base, forever.

Before the bill could be introduced, the commissioners of St. Louis, Lake, and Cook counties objected to further federal acquisition. Their opposition stemmed from the continuing financial distress of these counties. An understanding of their fiscal problems is necessary to comprehend the deep well of opposition in the northern area. In the twenty years following 1925 the taxable property in these counties had been drastically reduced; revenues had declined, expansion seemed unlikely, and hopes for prosperity withered. In Lake County, for example, the assessed value of real property shrank from $4,000,000 in 1924–25 to $1,500,000 in 1944–45. Property tax revenue dropped from $343,000 in 1931 to $251,000 in 1941.

The obvious way to break the cycle of dependence on outside aid was to expand the local economy in every way possible by using all available natural resources. One such resource was private real estate. However, federal acquisition of land within and outside the roadless areas had eliminated many opportunities for real estate developments. The Ely Commercial Club asked that the roadless areas be reduced in size to allow tourist development ''on a scale comparable with other sections of the state.'' With smaller roadless areas it would be possible to develop what they called ''now inaccessible resort sites'' on lakes supposedly off the track for even occasional canoe trips.

The commercial club objected to the government's purchase of the remaining private lands on the theory that developing them would do ''the most good for the most people in the long run. We have no particular ax to grind with dyed-in-the-wool conservationists so long as their plans don't take the bread out of our mouths.''

Paul W. Nelson, Lake County's auditor, had foreseen the impact of federal purchases on local taxes as early as 1938. At the time he had justified higher levies on Hubachek's property because the Forest Service had already ''removed from our tax rolls'' 290,000 acres of land. . . . ''You and the other taxpayers will have to absorb the loss,'' he wrote.

The issue of federal aid in lieu of taxes had been before the Congress since 1938. A joint committee on forestry had hearings and filed a report in March, 1941, recommending (among other things) legislation authorizing ''an equitable system of financial contribution to local government in lieu of taxes on forest land removed from the tax rolls through Federal acquisition.''

In 1943 the Federal Real Estate Board filed a report on each class of federal real estate, its contribution, if any, to state and local governments, with recommendations for greater equity in lieu of tax contributions. The report noted that the proceeds from national forest timber sales ''have not been wholly adequate to protect local taxpayers from undue burdens'' when the national forest lands were purchased from private owners. . . . To meet this problem, the real estate board recommended guaranteeing to the counties ''a minimum payment equal to a specified percentage of the purchase price.'' This would give the local governments a dependable source of income with which to plan annual budgets and enable them to use their share of timber revenues to the best advantage. As an acceptable rate of compensation, the board suggested ¾ of 1 per cent of the taxable value of federal lands.

The best known were the Cordon, Colmer, and McNary bills which differed only in the amount of compensation they proposed. All bills based payments on the fair market value of the national forest lands. The county officials in northeastern Minnesota thought compensation in lieu of taxes would be a great improvement over the intermittent revenues they had received from timber sales, and considered the Colmer and Cordon proposals as models for special legislation affecting their counties.

''The nation ought to pay in considerable part for the preservation of assets in Lake County which benefit the nation, ''Commissioner M. H. Bickley said the history of federal acquisition proved that ''something has always been taken away from us and nothing given back in the way of reimbursement.''

We are dealing with human beings and hard dollars.'' The counties were economically run, and Hubachek had open sympathy ''for what will ultimately be their plight'' when more than 80 per cent of their lands would be removed from the tax rolls.

The Quetico-Superior program was based on the value of the entire roadless areas to the nation. ''If that is true, then the contribution of the country as a whole should he greater and less of the burden shall fall on the local interests.''

The combined Thye-Blatnik acquisition-compensation bill floated into the congressional stream with dozens of other postwar resources and conservation measures. The modest Thye-Blatnik bill was a compromise proposal that harnessed downstate Minnesota conservationists, northern businessmen, and county officials in a common effort.

Hearings on the Blatnik bill began on April 28, 1947—exactly nineteen years after the introduction of the Shipstead-Nolan bill. Blatnik emphasized compensation for the three counties as ''an indispensable part of the bill.'' Twelve cents per acre was ''an irreducible minimum compensation.'' Paul Nelson represented the counties. He was proud, he said, that the Superior forest was called the ''playground for the Nation'' because the area was more valuable for recreation than timber. But, he asked, ''Should the local taxpayers furnish such a playground or should our country as a whole share in the expense of maintaining it?'' Unless the nation paid the bill, the measure should he defeated.

Wilson followed Hopkins, describing the rapidity with which the roadless areas were being exploited. The program ''to preserve and render accessible for posterity . . . a wilderness that is within reach of all the people of this country'' was imperiled. If the bill did not pass, the ''whole program of protecting this wilderness will be sunk.''

Discussion of the Blatnik bill centered on the compensation clause. . . . One astute conservationist speculated that unless the counties received 12 cents per acre, they ''would undoubtedly like to gamble their potential tax rates from private development in the Roadless Area against the federal reimbursement rate over future years.'' On that basis they would try to kill the bill, ''demand protection of private property throughout the federal forest, and fight the whole thing as federal interference and bureaucratic control.''

At the end of 1947 Blatnik's bill was stalled in the House, while Senators Ball and Thye refused to move their measure until the Forest Service and the counties agreed on a rate of compensation. But they also knew that Blatnik and the county commissioners would withdraw their support for the measure if the compensation were reduced or removed.

By reaffirming this statute and by directing the Forest Service to purchase and remove resorts and private properties, Congress gave further definition and weight to the idea of wilderness preservation—an idea that would receive complete expression sixteen years later in the Wilderness Act of 1964.

For the first time in its history, the Forest Service had authority to purchase lands for some purpose other than timber production and watershed protection. In this respect, the Thye-Blatnik Act set one of the most significant precedents in forest policy in forty years. Congress broadened and reaffirmed the principles implicit in the Thye-Blatnik Act in 1964 by passing the Land and Water Conservation Fund Act, a measure providing widespread federal authority for purchasing and developing land for public recreation.

With regards to your individual questions which you asked in your letter to my county here are the answers to your questions:

Level of funding my county has received for the most recent fiscal year in Thye-Blatnik funding?

Answer: Not exactly sure, except that between all three counties we now split approximately $6 million per year in total T–B funding. Since each county has approximately one-third of the land mass of the BWCA in each county, rounding-off, that means Lake County received nearly $2 million in T–B funding. Regardless, as explained in more detail later in this document, this T–B funding is required to be offset against our regular federal PILT payment and that coupled with other variables in the overall national PI LT formula, Secure Schools provisions, etc., means that T–B payments simply cannot be looked at in isolation. Ultimately, I was able to document that our latest NET PILT PAYMENT was only $246,972. With 727,111 acres of federal lands in our county, this certainly doesn't seem fair.

How is T–B funding used?

Answer: All of the uses you mentioned, but, because of the preponderance of government owned land in our county, we have a very limited tax base. Thus, most T–B dollars are used as part of our general revenue stream.

Has T–B funding decreased in last 10 years?

Answer: No, reappraisals are done once every 10 years, so it would only be in the 11th year that we would know what our next decade's level of funding will be. The last T–B reappraisal appears to have been done in either 2008 or 2009. Because of the national real estate bubble that occurred during the first decade of this century, I believe we did receive a sizeable increase in our T–B payments, but again, with the offsets that this had against us, I believe not all of that money truly materializes. Also, we won't know if these higher T–B payments will last when the next appraisal is completed. This is because of the hyper-inflated real estate bubble that occurred throughout much of the last decade.

In conclusion, I believe the deliberations that occurred in Washington during 1947–48 make it abundantly clear there was a consensus that some sort of compensation needed to be given to the local governments of Northeastern Minnesota. That consensus came with the full realization that in order to get this legislation passed into law, Congress would have to help at least partially offset the permanent loss of future tax base and economic activity that this Region would obviously suffer into perpetuity.

There was a clear recognition that the traditional sources of economic activity of this natural resource rich region—mining, logging, summer cottages, and motorized recreation opportunities would now be effectively cut by at least 50%, forever. In the years following Thye-Blatnik we've also witnessed passage of the 1964 Wilderness Act along with the Vento-Burton Act of 1978 which added additional economic restrictions and acreage to the BWCA. Counter-arguments have been made that the existence of a very appealing million acre wilderness featuring non-motorized wilderness travel for tourists to enjoy should help offset much of the alternative economic loss. On the surface, such an argument may look appealing. On closer examination, however, what has instead resulted is what economists call a ''closed market.''

Such a closed market for the BWCA is best exemplified in the permit system for campers wishing to visit the BWCA. This system effectively ''caps'' the number of visitors that are annually allowed into the park. In other words, while other regions of America with national parks and federal wilderness areas can at least count on some annual growth in visitors, for the BWCA, the number of visitors is in effect permanently capped at a little over 200,000 visitors. Unfortunately, with an aging population the number of U.S. citizens physically capable of portaging canoes and enduring the elements, this has meant that the annual visitors to the BWCA in recent years has actually been falling. How much? Between 2004–2010, visitor use in the BWCA fell by 12%.

Meanwhile, the 1,000 plus lakes in the BWCA with their tens of thousands of miles of extremely valuable shoreline, goes mostly underutilized and significantly underused. Other lakes in our region outside of the BWCA, currently have lakeshore selling at anywhere from between $1,000 to $2,000 a running foot. If one were to apply those kinds of numbers, to the tens of thousands of miles of shoreline in the BWCA that are forever off the tax rolls, one then realizes the incredible economic sacrifice that the people of our three counties have truly made for the greater good of the entire nation.

Finally, it appears that many are not cognizant of the fact of the interplay between the Thye-Blatnik lands and the later (1976) Federal PILT Program formula which all states with federal lands benefit. Although there are many variables that come into play, in essence, our three counties are required to ''deduct'' from our PILT payments the dollars which we receive from our Thye-Blatnik payments (as are other Section 6903 lands). As a result, this offset means that our Tri counties of Northeastern Minnesota are now receiving only pennies on the PILT dollar than we normally would.

Congressman Grijalva, I assume that this same unintended consequence with the Federal PILT law may also be occurring in your District? I noticed that of the dozen Special Acts of Congress contained in Section 6903 of the Federal PILT Law, both the Thye-Blatnik lands and the 1910 enabling Acts of Arizona and New Mexico are both included. Again, although the intermingling of these various laws gets extremely complicated, I hope that in the near future, we can refocus and begin to work together to help remove some of the real inequities and unintended consequences that are beginning to develop with the interplay of the existing national PILT Law.

Thank you for your interest in this overall issue and hope I have given you sufficient rationale as to why the Thye-Blatnik law found it an absolute necessity to partially compensate our counties for the permanent loss of tax base and our lost future economic viability. Indeed it was a steep price to pay, but something which was a sacrifice which ultimately was made for the greatest good of our entire nation.

Sincerely,

RICH SVE,

Chair, Lake County Board of Commissioners.

Mr. HASTINGS of Washington. Mr. Chairman, I'd advise my friend that I am prepared to close.

Mr. GRIJALVA. Mr. Chairman, among the many flaws in the legislation is a provision waiving compliance with the National Environmental Policy Act of 1969, NEPA. NEPA has been under attack by the Republicans for years. Most famously, former Chairman Pombo led a yearlong effort to undermine the law before leaving Congress.

NEPA stands for two very simple principles: The first is that the Federal Government should think before it acts, and the second is that the Federal Government should listen to the American people before it acts.

NEPA does not dictate outcome. It requires Federal agencies to gather information, consider alternatives, and seek public input before taking action that would significantly impact the environment.

Waiving NEPA means waiving educated decisionmaking, waiving NEPA means waiving transparency, and waiving NEPA means waiving the possibility that the American people should play a role in managing the natural resources which they own.

In the case of H.R. 5544, waiving NEPA means waiving any process for determining which Federal lands will be given to the State, what lands will be traded away, and how will they be chosen. Apparently, that information is to remain secret.

Will lands currently used for recreation or to protect water quality or to preserve critical habitat be traded to the State for logging and mining? We have no way to know.

Waiving NEPA shrouds this land deal in secrecy and insulates it from any public input. Why should any Member in this House oppose allowing his or her constituents to have input in the management of Federal natural resources? Cutting out public input is undemocratic, unwise, and unfair.

Now we have heard claims that NEPA should be waived because it leads to so-called ''frivolous'' legislation. Of course, ''frivolous'' is often in the eye of the beholder.

The facts are that NEPA is more than 40 years old, its regulations are flexible and well-settled, and NEPA litigation is fairly rare. What's more, timber companies, cattlemen, mining companies, and other industry plaintiffs file NEPA litigation just as often, if not more, than environmental groups.

We are also told that NEPA causes too much delay. This accusation is also unfounded. NEPA regulations allow for agreed-upon timeframes and page limits to move the process along. Instances when the NEPA process appears to drag on are often the result of an applicant who fails to provide necessary information in a timely fashion or changes the parameters of their project midstream. These anti-NEPA claims are not based on fact and they are a smokescreen, a smokescreen designed to hide the fact that the real goal of exempting this land deal from NEPA is to shield this exchange from public scrutiny.

Later today, Mr. HOLT will have an amendment to restore NEPA compliance for this land deal, and that amendment should be approved. A vote for NEPA is a vote for the idea that average Americans might have something valuable to say about the management of their natural resources. A vote for the bill without NEPA is a vote to shroud this deal in darkness so that its potential impacts on habitat or water quality or recreation remain hidden from public view.

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

Mr. HASTINGS of Washington. Mr. Chairman, I'll just advise my friend that I am prepared to close if he will yield back.

Mr. GRIJALVA. I will close at this point.

This debate, quite honestly, Mr. Chairman, makes me feel like I'm living in an alternative reality—a reality where the protections of God's bounty on this Earth are nothing more than an opportunity cost for local governments, a reality where we think it's perfectly acceptable to fund our children's education by stealing from the natural resource legacy our forefathers sought to protect, a reality where $650,000 for St. Paul is more important than $1 million going to counties most impacted by this exchange, a reality where the basic ability for people to be informed about government actions and to voice their views is blocked by a party that prides itself on the idea of liberty. I don't know about you, but this is not the reality that I want to live in.

We could have brought this bill to the floor today with strong bipartisan support and resolved the real issue of isolated State lands within the Boundary Waters, just like the Minnesota Legislation did. Instead, it is Groundhog Day where antiwilderness and antigovernment philosophies are masked as a concern for education funding when the arithmetic doesn't actually support the argument.

This is a disappointment. This bill is bad for forests, bad for wildlife, bad for the American people, and should be rejected.

I yield back the balance of my time.

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

Mr. Chairman, I am sitting here absolutely amazed by the debate on this issue. This is really very, very simple.

In 1978, there was no Boundary Waters Canoe Area Wilderness, so there were trust lands in that part of Minnesota that were generating revenue for public schools in Minnesota. So in 1978, Congress passed the Boundary Waters Canoe Area Wilderness and they took that land out of trust. So that means there is a deficiency in trust lands for Minnesota schools. This legislation simply seeks to correct that, nothing more than that. Nothing more than that.

□ 1310

So, in fact, here's another way to put it, Mr. Chairman. If the Boundary Water Canoe Area Wilderness had not been passed, we wouldn't be here today because you would have those trust lands generating revenue. But because it included that area, we are here today.

Now, I heard my good friend from St. Paul talking about the transparency and everybody should be involved in decisionmaking. What happened in 1978 when this 86,000 acres was taken out of trust?

Where was the transparency?

Where was the goodwill that was coming from the Federal Government to the citizens of Minnesota at that time? It apparently wasn't there.

Now, I know the Forest Service can make those adjustments. They don't need an act of Congress to do it; but, Mr. Chairman, it's been 34 years. Don't you think, after 34 years, if the ability were there that it would be done if there was a will on both sides to do so?

Apparently, there might have been a will on both sides, but there are others that were involved that said, no, let's slow the process down. So the Minnesota Legislature said, let's get this thing going, and they passed the legislation, and this simply carries out the act of the legislature that was signed by the Governor. And it's really nothing more than that.

I'm absolutely amazed by the detail that goes on because what comes out of all of this debate, from my point of view which, ironically, comes from Members that represent Minnesota, is they don't trust Minnesotans to make the right decisions as to what part of that national forest would be used for trust lands. I find that mind-boggling.

I think the gentleman from northern Minnesota is doing right by his constituents with this legislation to correct what has happened 34 years ago.

So this is a good piece of legislation, Mr. Chairman. I urge it's adoption, and I yield back the balance of my time.

Mrs. BACHMANN. Mr. Chair, I rise today in support of H.R. 5544, the Minnesota Education Investment and Employment Act, which will set in motion a long overdue exchange of federal lands in Northeast Minnesota that will create jobs and unlock millions of dollars each year for our state's schools.

When Minnesota became a state in 1858, the federal government granted each township two plots of land to be developed, leased, or sold exclusively for the benefit of Minnesota schools. Under the Minnesota Constitution and Minnesota Law, these lands must generate revenue for schools. However, when the Boundary Waters Canoe Area Wilderness was created in 1978, 86,000 acres of school trust lands were locked within the boundaries, where logging, mining, and other lucrative activities are prohibited. For over 30 years, these lands have been stripped of their revenue-raising potential and Minnesota students have been missing out on a vital revenue source for needed school improvement projects.

Thankfully, this year, a bipartisan coalition at the Minnesota State Capital, including Democratic Governor Mark Dayton, stood up to special interests and apathy to recoup the important school funding source that was sealed off with the creation of the Boundary Waters. They enacted legislation at the state level to allow an exchange of the school trust lands contained within the Boundary Waters for federal lands outside the Boundary Waters. Such an exchange would not eliminate a single acre of BWCAW land, but it would enable the creation of well-paying jobs for Minnesotans on the newly acquired lands.

H.R. 5544 will finalize the federal side of this broadly supported exchange, which will greatly benefit Minnesota students, job seekers, and families across the state. I applaud Congressman CRAVAACK for introducing this necessary legislation and I urge my colleagues to join me in supporting it.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–30, modified by the amendment printed in part A of House Report 112–660, is adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and is considered read.

The text of the bill, as amended, is as follows:

H.R. 5544

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 ''Minnesota Education Investment and Employment Act''.

SEC. 2. LAND EXCHANGE, BOUNDARY WATERS CANOE AREA WILDERNESS AND SUPERIOR NATIONAL FOREST, MINNESOTA.

(a) FINDINGS.—Congress makes the following findings:

(1) The State of Minnesota owns multiple parcels of land in the Boundary Waters Canoe Area Wilderness in the Superior National Forest that were granted to the State through sections 16 and 36 of the Enabling Act of 1857 to be held in trust for the benefit of the public school system in the State (in this section referred to as ''State trust lands'').

(2) The State trust lands were acquired by the State long before the establishment of either the National Forest System or the wilderness area and are scattered in a largely checkerboard fashion amid the Superior National Forest and the wilderness area.

(3) The presence of State trust lands in the wilderness area makes land and resource management in the wilderness area more difficult, costly, and controversial for the United States and the State.

(4) Although the State trust lands were granted to the State to generate financial support for the public school system through the sale or development of natural resources, development of those resources in the wilderness area may be incompatible with managing the wilderness area for recreational, natural, and conservation purposes.

(5) The United States owns land and interests in land in other parts of the State that can be transferred to the State in exchange for the State trust lands without jeopardizing Federal management objectives or needs.

(6) It is in the public interest to exchange, on terms that are fair to the United States and the State, National Forest System land in the State that has limited recreational and conservation resources for State trust lands located in the wilderness area with important recreational, scenic, and conservation resources for permanent public management and use.

(7) The Legislature of the State of Minnesota, meeting in its 87th Legislative Session, passed (and on April 27, 2012, the Governor of Minnesota approved) S.F No. 1750 (Chapter 236), section 4 of which adds section 92.80 to the Minnesota Statutes to expedite the exchange of a portion of the State trust lands located within the Boundary Waters Canoe Area Wilderness.

(b) LAND EXCHANGE REQUIRED.—The Secretary of Agriculture shall consummate a land exchange with the State of Minnesota pursuant to section 4 of S.F No. 1750 (Chapter 236) of the Legislature of the State of Minnesota (section 92.80 of the Minnesota Statutes) to acquire all

right, title, and interest of the State in and to certain State trust lands identified as provided in such section in exchange for all right, title, and interest of the United States in and to National Forest System land in the State for inclusion in the State trust lands.

(c) VALUATION OF LANDS FOR EXCHANGE.—Subdivision 4 of section 4 of S.F No. 1750 (Chapter 236) of the Legislature of the State of Minnesota (section 92.80 of the Minnesota Statutes) shall control for purposes of the examination and value determination of the lands to be exchanged.

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be exchanged under subsection (b) shall be determined by a survey satisfactory to the Secretary. The State of Minnesota shall be responsible for the costs of the survey and all other administrative costs related to the land exchange.

(e) BOUNDARIES AND MANAGEMENT OF ACQUIRED LAND.—

(1) LAND ACQUIRED BY SECRETARY.—

(A) IN GENERAL.—The land acquired by the Secretary under subsection (b) shall be added to and administered as part of the Boundary Waters Canoe Area Wilderness established pursuant to section 3 of the Wilderness Act (16 U.S.C. 1132(a)), and the Secretary shall modify the boundaries of the wilderness area to reflect inclusion of the acquired lands. Subject to subparagraph (B), the land acquired by the Secretary shall be managed in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and other laws and regulations applicable to the National Wilderness Preservation System.

(B) NO EFFECT ON EXISTING FISHING AND HUNTING RIGHTS.—The acquisition of land by the United States under subsection (b) and inclusion of the land in the Boundary Waters Canoe Area Wilderness shall not alter or otherwise affect—

(i) any fishing and hunting rights in existence with respect to the land immediately before the conveyance of the land to the United States; or

(ii) the use of such rights after conveyance.

(2) LAND ACQUIRED BY STATE.—The land acquired by the State of Minnesota under subsection (b) shall be deemed to be State trust lands and shall be held in trust for the benefit of the public school system in the State. It is the sense of Congress that, whenever the land acquired by the State of Minnesota under subsection (b) is not being used for revenue-generating activities, the State should make the land available for other compatible uses, including hunting, fishing, hiking, biking, snowmobiling, and trail riding.

(3) BOUNDARIES OF SUPERIOR NATIONAL FOREST.—The Secretary shall modify the boundaries of the Superior National Forest to reflect the land exchange conducted under this section.

(f) RELATION TO OTHER LAWS.—

(1) LAND AND WATER CONSERVATION FUND ACT.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Superior National Forest, as modified by subsection (e)(3), shall be considered to be boundaries of the Superior National Forest as of January 1, 1965.

(2) NOT A MAJOR FEDERAL ACTION.—The land exchange conducted under this section shall not be considered to be a major Federal action.

(3) THYE-BLATNIK ACT.—The Secretary shall not take into consideration the lands acquired by the United States under this Act in determining the appraised value of National Forest System lands in the State of Minnesota used for purposes of making payments to the State of Minnesota under the Act of June 22, 1948, and the Act of June 22, 1956 (commonly known as the Thye-Blatnik Act and Humphrey-Thye-Blatnik-Andresen Act; 16 U.S.C. 577c through 577h).

(g) NO IMPACT ON OTHER LAND EXCHANGES.—The land exchange described in subsection (b) does not affect any land exchange involving National Forest System land in the State of Minnesota underway as of the date of the enactment of this Act.

(h) REPORT.—If the Secretary fails to complete the land exchange described in subsection (b) before the end of the 18-month period beginning on the date of the enactment of this Act, the Secretary shall submit to Congress, not later than 30 days after the end of such period, a report—

(1) specifying the reasons why the exchange has not been completed; and

(2) stating the date by which the Secretary anticipates the conveyance will be completed.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 112–660. Each such further amendment may be offered only in the order printed in the report, by a Member designated 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 MS. MCCOLLUM

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112–660.

Ms. MCCOLLUM. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(a) (page 3, after line 2), insert the following new paragraph (and redesignate the subsequent paragraph accordingly):

(7) The proposed land exchanged would include land ceded or sold in the Treaty with the Chippewa of 1854, in which the signatory tribes reserved hunting, fishing, and gathering rights on the land ceded. Federal courts have affirmed the continuing existence of those rights. The Secretary of Agriculture shall consult on a government-to-government basis with potentially affected Indian tribes and ensure that the land exchange does not impinge upon treaty rights.

In section 2(e)(1)(B)(i) (page 5, line 7), strike ''fishing and hunting rights'' and insert ''fishing, hunting, and gathering rights''.

In section 2(e)(2) (page 5, line 22), insert ''gathering,'' after ''fishing,''.

In section 2(f) (page 6, after line 13), add the following new paragraph:

(3) NO IMPACT ON TREATY RIGHTS.—Nothing in this Act shall limit, alter, restrict, or abrogate, or be construed to have such effect, on rights to hunt, fish, and gather as reserved in Article 11 of the Treaty of September 30, 1854 (10 Stat. 1109).

The CHAIR. Pursuant to House Resolution 773, the gentlewoman from Minnesota (Ms. MCCOLLUM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, as you've already heard here today, H.R. 5544 is missing an awful lot of important details and taxpayer protections. One major omission in this bill is its failure to acknowledge the treaty rights of Minnesota's tribal nations.

Treaty rights are a predominant concern in this land exchange because unspecified lands are under consideration in H.R. 5544 because we don't have a map. They're all within the Superior National Forest, which is governed by the 1854 treaty between the Chippewa nations and the United States Government.

The terms of the treaty guarantee that tribal nations can continue to fish, hunt and gather, and otherwise use the land to support their way of life. However, in its current form, this bill completely ignores the treaty rights of tribal nations.

The Minnesota process that's moving forward in the State of Minnesota includes the tribal nations. We need to make sure that the Fond du Lac Band of Lake Superior Chippewa, the Bois Forte Band of Chippewa, the Grand Portage Band of Lake Superior Chippewa have their treaty obligations protected and met by the United States Government.

The tribal council of Grand Portage of Chippewa has contacted my office to express their great opposition to this bill. Chairwoman Diver of the Fond du Lac Band of Chippewa has sent letters in opposition to Governor Dayton, Secretary Vilsack of Agriculture, Senators FRANKEN, KLOBUCHAR, and to Representative CRAVAACK.

Mr. Chair, at the appropriate time, I have a copy of that letter to submit to the RECORD.

Minnesota's tribes foresee a negative impact of this bill on their guaranteed treaty rights for use of their land because they are not being considered as part of the process under the Cravaack bill.

The quote from Chairwoman Diver's letter, in fact, is:

We oppose the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred.

The chairwoman also disagrees with the conclusion that the exchange of more than 86,000 acres without government-to-government consultation ''shall not be considered to be major Federal action.''

It's hard to see how anyone could consider the exchange of land that is being governed by a Federal treaty with sovereign tribal nations to be anything less than a major Federal action. Yet this bill denies the level of consideration for the exchange.

The amendment that I'm introducing would recognize the reserved fishing, hunting and gathering rights of the tribes and other lands under consideration. The language for this amendment was drafted in consultation with legal representation from the three impacted tribes and from input from the Great Lakes Indian Fish and Wildlife Commission.

This amendment will not solve the fundamental problems of this bill, but it is an effort to respond to the threat against tribal interests and tribal sovereignty that this bill contains. This bill does not change the fact that Minnesota now sees the Federal Government in a jump-start effort to establish a process for Minnesota on how to handle the finishing touches to the land transfer.

Well, I believe at least the tribal voices should be at the table to be heard.

So, Mr. Chair, I do not believe that H.R. 5544 should be moved forward. I will be voting against the bill. I want to be clear about that.

However, if this unnecessary, unclear bill is to proceed, at least at a minimum, we should protect our U.S. government-to-government treaty rights and any land exchange.

Mr. Chair, I yield back the balance of my time.

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA RESERVATION BUSINESS COMMITTEE,
Cloquet, MN, May 30, 2012.

Re The Minnesota Education Investment and Employment Act.

Hon. MARK DAYTON,
Governor of Minnesota, State Capitol, St. Paul, MN.

DEAR GOVERNOR DAYTON: We oppose the passage of the Minnesota Education Investment and Employment Act until suitable tribal consultation has occurred. The Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee is opposed to the Minnesota Education Investment and Employment Act's exchange of over 86,000 acres of land within the 1854 Ceded Territory without any tribal participation in task force meetings or consultation.

The Fond du Lac Band and the other signatories of the 1854 Treaty of LaPointe, 10 Stat. 1109, retain hunting, fishing, and other usufructuary rights that extend throughout the entire northeast portion of the state of Minnesota (the ''Ceded Territory''). In the Ceded Territory, all the Bands have a legal interest in protecting natural resources and all federal agencies share in the federal government's trust responsibility to the Bands to maintain those treaty resources. State agencies also have executive orders affirming the government-to-government relationship between the State of Minnesota and Indian tribal governments located within the State.

The Minnesota Education Investment and Employment Act concludes that it will not affect usufructuary rights and concludes that the exchange of more than 86,000 acres without government-to-government consultation ''[s]hall not be considered to be a major Federal action.'' We disagree with those conclusions and therefore request consultation regarding the proposed land exchange within the Ceded Territory.

Thank you for your consideration.

Sincerely,

KAREN R. DIVER,
Chairwoman.

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

The CHAIR. The gentleman is recognized for 5 minutes.

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

Mr. Chairman, I respect the gentlelady's concern for Native Americans. As a matter of fact, I will simply say that's one of the reasons when I became chairman of Natural Resources Committee that we had a subcommittee dealing with their issues because I think they were being neglected in the past, and so I share that concern.

But this amendment, honestly, is really not necessary. And I have to say this, Mr. Chairman. At this very last minute here, as we're debating this on the floor, it raises an issue that has not previously been raised.

Let me just go back to the history of this legislation. This issue was not raised at any point during the subcommittee hearing or the full committee markup of this legislation, nor was this issue mentioned in the dissenting views that were filed by the minority in their bill report, nor was this issue raised by the gentlelady from Minnesota's detailed letter opposing this bill that was dated on July 24. So I don't know why it's coming up now when it was not previously raised in the legislative process.

But, Mr. Chairman, I can state very clearly that the Federal Government has a duty to uphold treaty obligations and trust responsibilities to Indian tribes. These will be upheld, and they are not changed by this bill.

There are inherent obligations that the Federal Government has to Indian tribes, and they need to be respected.

This amendment is not necessary and, as written, may potentially raise complex questions about whether the amendment itself would alter the treaty obligations of the Chippewa. The original treaty with the Chippewa of 1854 referred specifically to fishing and hunting rights. This amendment would add the phrase ''gathering'' to those rights, without any definition of scope of what that means.

Lastly, I will credit the Members, the gentlelady who's sponsoring this legislation, she said last night in the Rules Committee and here just a moment ago that, notwithstanding whether this amendment would pass or not, she would be opposing the bill. I take her at her word on that. But this is a last-minute issue that had not been raised.

□ 1320

It's not necessary for us to respect and uphold the rights of tribes, and I think it's being offered by somebody, as was stated, who is just simply opposed to the bill.

So for these reasons, I urge my colleagues to oppose the amendment. I understand the gentlelady has yielded back. I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

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

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112–660.

Mr. HOLT. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(b) (page 3, line 12), strike ''shall'' and insert ''may''.

In section 2(f) (page 6, beginning line 3), strike ''RELATION TO OTHER LAWS.—'', ''(1)'', and paragraph (2) relating to an exception from NEPA requirements.

The CHAIR. Pursuant to House Resolution 773, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, today we have before us a bill that tells the American taxpayers to take a hike—not to take a walk in the woods, but to give up their place in any decision-making, to get lost, a hike from democracy and engagement in our government—because H.R. 5544 has a provision that would bar all Americans, including Native Americans, from being provided the information about the land exchange to take place and that would bar them from participating in the democratic process of being able to voice their views about the disposition of their property.

My amendment would restore public participation in the development of this proposed land exchange by striking language that would subvert proper environmental review under the National Environmental Policy Act, NEPA. H.R. 5544 continues what we have seen elsewhere on this floor and on the Resources Committee that can only be called an attack on NEPA.

I wonder what my colleagues have in mind, why they have such a strong knee-jerk reaction to this bipartisan initiative that was signed into law by President Nixon, you may recall. Whatever any of my colleagues may think about the advisability of the underlying bill and the exchange that is proposed here, whatever that exchange may be, I would think my colleagues would at least want this to be done with transparency, full knowledge and public participation.

Public participation should always be of the utmost concern when planning public land projects, but it is particularly critical for the exchange that is proposed here. We aren't talking about a small land exchange. We are talking about tens of thousands of Federal acres that will be going out of Federal ownership and into State ownership for the purposes of mining and logging.

The bill doesn't tell us which parcels will be exchanged. We have no map. We really have no idea. We do know that there are 700 miles of snowmobile trails within the Superior National Forest and that there are thousands of lakes, 77 points of lake access, and 13 fishing piers. We know that hunting is allowed on all of these lands, including lands included within the boundary waters.

We also know that no fewer than 25 groups have written in opposition to

this exchange, expressing concerns about their ability to participate in what should be a public process. We also know that 2 million hunters and anglers, represented by the Minnesota Backcountry Hunters and Anglers Association, oppose this bill because, in their words:

Hunters have a vested interest because we now have access to these properties—something that's never guaranteed when management begins switching hands.

Finally, we know why the State of Minnesota wants these Federal lands. They want the lands to generate receipts for their school trust through mining and logging.

So we know some things, but there is much we don't know. There is much that should be brought out to the public. This entire exchange is justified on the State's belief that it is losing $650,000 a year because it can't mine and log lands within the Boundary Waters Canoe Area Wilderness.

The public deserves to know more about this exchange and to have a voice in the future of these lands. I urge my colleagues to support my amendment, which would ensure that the public can play a role in this exchange if the exchange is to go forward.

I reserve the balance of my time.

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

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself 2 minutes.

Mr. Chairman, this amendment would undermine the purposes of the bill by allowing a Cabinet Secretary or even a low-level Federal bureaucrat the authority to override an act of Congress and delay this land exchange.

Let's be specific. This bill directs a land exchange of State lands for Federal forest lands. The simple result of the exchange will be that the boundaries would be State rather than Federal. The management of the lands exchanged in Minnesota will continue to be responsibly managed under State law.

Now, Mr. Chairman, under the U.S. Constitution, it is the legislative branch of government that writes our Nation's laws. It is the responsibility of the executive branch to execute the laws written by Congress. This amendment would result in giving the executive branch the ability to undermine or ignore written law. This land exchange would be subjected to years of costly red tape and bureaucratic foot-dragging. As a matter of fact, Mr. Chairman, that has been going on for 34 years. That's why we are here today.

The priority of the gentleman from Minnesota's bill is the schoolchildren of Minnesota, but it seems the priority of the amendment offered by the gentleman from New Jersey is more Federal red tape to protect Federal bureaucracy and more lawsuits. So I urge the defeat of this amendment.

I reserve the balance of my time.

Mr. HOLT. The chairman must think that it is so inconvenient to deal with a pesky public. Whether this is congressionally mandated or comes about in any way, something of this scale, that of involving the public's land, should involve the public in a very open way in understanding what it will be and in carrying it out. That's all this says. That's all this amendment would do. It would allow the NEPA process, the environmental process that applies to so many things around this country, to apply to this important transaction.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the sponsor of this legislation, the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. Mr. Chairman, I rise in opposition to this amendment.

The Secretary already has the authority that the amendment is supposed to possess. That's what got us here in the first place. This amendment would undermine the purposes of the bill by giving the Secretary the option to continue the delaying and obstructing of a land exchange with the State of Minnesota. This is an issue that Minnesota and the Federal Government have been working on for over three decades under existing authorities. This amendment would only continue the status quo, so I must oppose it. Stalling the process further helps no one, least of all the schoolchildren and teachers of Minnesota.

Mr. Chairman, we've had public input for over 30 years, and that has culminated in the bipartisan State Senate File 1750 that was passed earlier this year by an overwhelming bipartisan vote in the State legislature and signed by Democrat Governor Mark Dayton. The public has spoken. The bill has the support of the people of the Eighth District of Minnesota, and it would execute a bipartisan plan passed by the Minnesota Legislature and signed by the Governor. The only groups that oppose this bill are fringe groups, many of those being from out of State.

This amendment would give the environmentalists free rein to sue the Federal Government and have attorneys' fees paid for by the taxpayers of the United States. I urge my colleagues to oppose this amendment.

In addition, we have heard a couple of times today, Where is the map? Well, here it is. Here is the map. H.R. 5544 no longer contains a direct reference to the Forest Service map because H.R. 5544 is executing a State bill, State File 1750, which does specify lands to be exchanged in section 4 of the bill.

□ 1330

Subsection 3. Priority.

An exchange of the State land under this section shall give priority to the exchanges that provide the most opportunity for revenue generation for the permanent school fund, and priority shall be given to lands within the Superior National Forest in the Mesabi Purchase Unit in St. Louis County and in the following townships of St. Louis County:

Township 59 North, Range 14 West;
Township 59 North, Range 13 West;
Township 60 North, Range 13 West;
Township 60 North, Range 12 West.

The Minnesota DNR has maps of these lands. The Forest Service has maps of these lands. Actually, they're available online.

Last year, the Forest Service prepared maps for an earlier draft of H.R. 5544, but when the State passed Senate File 1750, we changed the references in the bill from the Forest Service maps to the State-passed plan.

The reason why H.R. 5544 doesn't specify lands is because it executes the State plan, which does specify the lands. Again, the maps are available from either the Forest Service or the Minnesota Department of Natural Resources.

Ms. MCCOLLUM. Will the gentleman yield?

Mr. CRAVAACK. I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. Sir, you said that there is designated land on the other half of the exchange, and very well—the school trust lands. Can you show me a map? I know that the State talks about areas.

The CHAIR. The gentleman's time has expired, and the gentleman from Washington has 30 seconds remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I hear the crocodile tears for no NEPA in this process. I just remind my colleagues that when this area was designated wilderness, NEPA was not involved.

Once the land trade is made, it is subject to the Minnesota Environmental Policy Act. There is a process in which this will be carried out.

I don't support the amendment. I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112–660.

Mr. ELLISON. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2, insert after subsection (b) the following new subsection (and redesignate subsequent subsections accordingly):

(c) PROTECTING PRIVATE PROPERTY AND SMALL BUSINESSES WITHIN AND ADJACENT TO

SUPERIOR NATIONAL FOREST.—In determining which National Forest System land to exchange under subsection (b), the Secretary shall not include a parcel of National Forest System land in the exchange if the Secretary determines that the inclusion of the parcel or subsequent use of the parcel is likely to have a negative impact on private property, private property values, or small businesses.

The CHAIR. Pursuant to House Resolution 773, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chair, I rise to present an amendment that would require that as these exchanges go forward, that they would have to be done in a manner that does not hurt private property interests.

There's no doubt that when the exchanges are effected, the people in the forest areas who will acquire them will be looking to mine them, log them, and things like that. But the fact remains that there are other legitimate private property interests there, and these private property interests should be protected.

The bill introduced by my colleague from Minnesota, Representative CRAVAACK, has no protections for areas of high ecological and recreational value, risks the livelihood of small businesses that rely on the recreational tourists to survive and thrive, and risks the values of private property within the Superior National Forest.

In a region that depends upon $1.6 billion of revenue from outdoor recreation, we cannot risk our natural lands for the short-term gain of the mining industry. My amendment would simply ensure that no land would be exchanged if it would likely have a negative impact on private or small business interests.

In this House, we often hear it said we should not pick winners and losers. I agree with that. We shouldn't. Therefore, this amendment, if adopted, would protect and ensure that no land would be exchanged if it would likely have a negative impact on private property interests.

Mr. Chair, I would like you to know that the white areas here are private property. As you can see, they're interspersed in the green. As land is transferred down and exchanged, there's a lot of private land next to the forestland, and the private property interests are at risk, and the amendment, if passed, would protect them.

Many studies have found that private property and housing values decrease the closer they are to mines. Just take it from the standpoint of a small business. Many small businesses depend upon protecting the natural resources in the area. Sulfide mining, being considered in this region, can leach sulfuric acid into lakes and rivers, killing aquatic life and ruining someone's small business or fishing resort. Sulfide mining is generating significant public concern and deserves an open, transparent process of evaluation.

Mining has a role in the economy in its right place and with the right protections. But no one denies that it can harm the environment and small businesses if it is done in the wrong place and in the wrong manner.

Mr. Chairman, let me just talk about Jane Koschak. Jane is the owner of the River Point Resort and Outfitting Company located in the Superior National Forest, and she's very concerned about the impact of this bill on her small business. She says the bill will be absolutely devastating to the tourism economy. She says her own town exists on tourism, which is dependent upon clean water and clean air. She also says private property values in the area are already going down from existing drilling. Mining hurts small businesses like Jane's that cater to the anglers, the paddlers, the hikers, and the vacationers in the region.

We need greater transparency. Minnesota landowners and small businesses deserve an open and transparent process, but that's not what we're getting. The State of Minnesota has already created an open process to transfer State lands within the boundary waters. No Federal legislation is required for this land exchange to take place. We should not be waiving environmental and public comment. At the very least, if we go forward with this misguided bill, we should ensure that private property and small business is protected.

I ask you to support the Ellison amendment and oppose the bill from my colleague in Minnesota.

With that, I reserve the balance of my time.

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

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this amendment is unnecessary, and it would allow the Federal bureaucracy an automatic excuse to stop implementation of this bill when it becomes law. It would provide the Forest Service with vague authorities to simply delay or outright block an act of Congress.

Does that sound familiar?

While presented as property rights protection, the plain fact is that this bill only involves the exchange of lands between State lands and State forestlands. So I want to be very clear that not one square inch of private property is included in this exchange. Again, this is only State and Federal lands.

I have to say, Mr. Chairman, on my committee, a lot of our discussion on a variety of issues talks about private property rights. When we have debate on that and when we have votes on amendments on those issues, I find it rather ironic that the party of the gentleman that is offering this amendment always tends to vote against those amendments that protect private property rights.

Once again, the net result of this amendment would be to give the Federal bureaucracy the ability to slow down carrying out this act.

With that, I reserve the balance of my time.

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

The CHAIR. The gentleman from Minnesota has 1¼ minutes remaining.

Mr. ELLISON. Mr. Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chair, I only have one other speaker and we have the right to close, if the gentleman wants to use his time.

Mr. ELLISON. I appreciate the gentleman's reflection that the exchange is between State land and State land, but it's next to private property land. That's exactly the point of my amendment. If I have a business—better yet, not me, but Jane, who does, in fact, have a business—that is next to a mine that is leaching hazardous material, it will negatively impact her business.

This is not a dispute between public and private. It's a dispute between big private interests and smaller ones.

We're here in Congress to stand up for people who need a voice. I doubt these multinational mining interests need Congress to stand up for them, but the Janes who are running resorts in this forest do. We're simply asking you to adopt an amendment that will stand up for the private property rights of regular citizens who had a dream and fulfilled it of opening a resort, opening a tackle shop, doing things that are deeply rooted in Minnesota's heritage.

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

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield the balance of my time to the author of this legislation, Mr. CRAVAACK of Minnesota.

□ 1340

Mr. CRAVAACK. Mr. Chairman, because of the way this amendment is worded, I have some concerns about how it's going to affect mining and timber jobs in the new school district lands.

I yield to the gentleman to explain how he thinks the amendment would affect jobs in the Eighth District of Minnesota concerning mining and lumber.

Mr. ELLISON. If I understand the gentleman's question correctly, I think that it will negatively impact jobs.

Mr. CRAVAACK. Reclaiming my time, Mr. Chairman, I would ask my colleague if he knows how much mining taxes contribute to the State of Minnesota.

I yield to the gentleman.

Mr. ELLISON. The point of my amendment is that this bill, your bill, is going to hurt small business.

Mr. CRAVAACK. Reclaiming my time.

Mr. ELLISON. Look. I'm not going to yield to you if you won't let me answer the question.

Mr. CRAVAACK. He is out of order, Mr. Chairman.

The CHAIR. The gentleman from Minnesota controls the time.

Mr. CRAVAACK. Mr. Chairman, as you can see from the most recent ''Mining Tax Guide'' from the State of Minnesota, the Eighth District of State of Minnesota contributes $79.1 million to the State of Minnesota. That is just not inclusive of the income related to taxes from jobs from the mining that will go on in the State of Minnesota.

Is the gentleman opposed to mining in Minnesota? Can he give me an example of how he has supported mining?

I yield to the gentleman.

Mr. ELLISON. If the gentleman is going to let me answer, I will be happy to answer you.

Mr. CRAVAACK. I yield to the gentleman.

Mr. ELLISON. Thank you. I appreciate that. Look, the fact is what you're doing is trying to say that you're going to stand up for the big-money people, as opposed to the cumulative small business people. I think if you put the number of small business people together, your big multinational mining interests that are going to pollute their business——

Mr. CRAVAACK. Reclaiming my time, Mr. Chairman, I'm going to tell my colleague how much mining and timber contributes to the school trust fund.

Mr. Chairman, in the most recent school trust fund report, it shows that mining and timber contributed $23.17 million in 2011. Now, maybe that doesn't sound like much here inside the Beltway; but I tell you what, that's a lot of money where I come from.

Does the gentleman think that schools in Minneapolis are adequately funded? I'll answer that for you, probably not. Because in North Branch, Minnesota, where I live, public schools just went to 4 days, and then we've got 40 kids in a classroom. I think our teachers and kids could use the extra funding.

Also I'm very interested right now that now the gentleman is very concerned about small business interests in the rural communities. I find that very enlightening.

I yield to the gentleman if he could tell me how a small business would be affected by this land exchange and job creation.

Mr. ELLISON. I will tell you this, about less than 1 percent of money for schools comes from trust lands. It's a very tiny percentage. I mean, so we're going to sacrifice our heritage for a multinational mining company——

Mr. CRAVAACK. Reclaiming my time, obviously the gentleman from Minnesota does not think any money going into the school trust fund is beneficial. Decisions such as these should not be made by Washington bureaucrats in D.C. They should be made by Minnesotans, and that is how we got into this mess in the first place.

The bill merely executes a bipartisan State plan signed by the Governor, State senate file 1750. We cannot trust Washington political appointees with the power to derail this land exchange at the expense of Minnesota schoolchildren and their teachers.

I urge my colleagues to oppose this amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. GRIJALVA

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 112–660.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2, strike subsection (c) (page 3, beginning line 21) and insert the following new subsection:

(c) VALUATION OF LANDS FOR EXCHANGE.—

(1) EQUAL VALUE EXCHANGE REQUIRED.—The fair market value of the land to be exchanged under subsection (b) shall be equal.

(2) APPRAISAL TO DETERMINE FAIR MARKET VALUE OF FEDERAL LAND.—The Secretary shall determine the fair market value of the National Forest System land to be conveyed under subsection (b)—

(A) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice.

The CHAIR. Pursuant to House Resolution 773, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. The amendment I am offering does one simple thing and one thing only. It ensures that this land trade is fair and protects the American taxpayers.

For every land exchange undertaken by the Forest Service, the Bureau of Land Management, Park Service, or Fish and Wildlife Service, land managers must ensure taxpayer assets are protected by requiring land appraisals based on accepted Federal standards. This House has considered six different land exchange bills in this Congress. Each and every one of them required standard appraisals for those lands, and they all passed.

But today we have a bill that defers to legislation passed by the State of Minnesota to control the examination and the value determination of Federal lands. This is not how we treat Federal assets. Whether a land exchange is undertaken through an administrative process or through legislation, we require a standard appraisal and equalization payments if the value of the lands considered for exchange are not equal.

Surely we can provide better protections to the taxpayers of this country.

The last estimate, and I will stress estimate of the value of the land in question, was nearly $100 million. Do we really want to abandon our responsibilities as stewards to Federal taxpayers and waive fair appraisal standards?

Surely we can hold Congressman CRAVAACK's legislation to the same bar and standard we required for Congressman HERGER, Congressman GOSAR, Congresswoman TSONGAS, Congressman MCKEON, Congressman AMODEI's bill and, yes, my own bill.

I understand a lot of Members on the other side of the aisle would happily turn over Federal lands to the States. In fact, that position is reflected in their party's platform. But this isn't what we're voting on today. Today we're voting on a land deal that shouldn't turn the taxpayer interests upside down.

I would urge support 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 CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the purpose of this bill is to ensure a fair exchange of lands on States in Federal areas, and there are protections that were put specifically in the bill. Of course, the big protection is that the Secretary of Agriculture, who is a Federal representative in this process, has to agree. So, I mean, you have got one party, two parties that have to agree, and one of them is Federal. Now what could be more protection than that.

Now, let me go back just a minute. We seem to have to talk about the history of this.

The valuation of the land in 1978, when this wilderness area was developed—I wasn't here, nobody here on the floor that's debating this was here at that time; but I doubt if there was a valuation given to Minnesota at that time, and now they want to come back and say, okay, we have to have a precise valuation on the Federal level.

Come on. This corrects something that was not done in 1978. This amendment simply slows down the process, which I might add, Mr. Chairman, that seems to be what the process is with all four amendments that were taken up to date, slow down the process. Thirty-four years, isn't that long enough?

This is not a good amendment. I urge rejection of it, and I reserve the balance of my time.

Mr. GRIJALVA. I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank Mr. GRIJALVA.

This is not about slowing down the process, and I know it's not the intention of the Members on the other side to assume my motivations. I know it's not their intention.

This and the amendments that I offered are because there is a process in place in Minnesota that allows for people to be at the table, for tribes to be at the table to follow the regular order to have a regular appraisal like everyone else has had, and to have a map on the floor and not start creating a wave of Federal legislation that, to my knowledge, to my knowledge, no one has asked for this legislation to have a vote on the floor today.

There is no Senate companion. There is no urgency; there is no emergency. The State of Minnesota has a process in place; and I will say, as a State legislator, there were times, yes, I didn't think we needed to move forward with the land exchange.

But the northern legislators are convinced, overwhelmingly with the Governor of Minnesota, that this land exchange needs to take place, and it should take place, and I'm not trying to slow it down. I am trying to take this bad legislation and put it aside and let the good legislation and let the regular order that the State of Minnesota has established in order to have these land exchanges move forward. That is my motivation, good legislation, not for the first time in the history of the floor of this House passing a land exchange without a map and for the first time that I've heard not use the regular Federal standard appraisal process.

It sets a bad precedent. I don't think anybody is out to do wrong by the schoolchildren of Minnesota.

□ 1350

My children attended K through higher ed in Minnesota, and I know how strapped we are for cash. And I do believe that there will be very slight amounts of dollars that will go back into school trusts, but that's going to happen whether or not we take this bad vote on this bad bill today or not.

The schoolchildren in Minnesota will be served. This land will be exchanged. The question for this Congress is: Do we do it the right way; do we do it the wrong way; do we set a bad precedent for future land exchange bills; or do we make sure that we allow a fair, open, transparent process that started in Minnesota, finishes in Minnesota?

Mr. HASTINGS of Washington. Will the gentlelady yield?

Ms. MCCOLLUM. With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Do I understand the time on the other side has expired?

The CHAIR. The gentlewoman has yielded back the balance of her time.

Mr. HASTINGS of Washington. Does the gentleman from Arizona still have time?

The CHAIR. No, the gentleman from Arizona yielded the remaining time to the gentlewoman from Minnesota, and she yielded back the balance of her time.

The time is expired.

Mr. HASTINGS of Washington. That is what I was trying to get to.

I am very pleased to yield the balance of my time, again, to the author of this legislation, the gentleman from Minnesota (Mr. CRAVAACK).

The CHAIR. The gentleman is recognized for 3½ minutes.

Mr. CRAVAACK. I rise in opposition to the amendment. This amendment is unnecessary and would only further serve to delay implementation of the overall bill. The valuation of the lands to be exchanged as required by Minnesota senate file 1750 requires that the lands not only be substantially equal in value, but that the valuation is done ''in a manner as agreed to between the State commissioner and the authorized representative of the United States.'' In addition, subsection (d) of H.R. 5544, on page 4, requires the survey to be satisfactory to the Secretary of Agriculture.

We have had 30 years of delay, 30 years of appraisals, 30 years of mapmaking. We don't need any more. These are the lands of the children of Minnesota, and they're entitled to them.

Mr. Chair, the State knows what the land is worth just as well as the Federal Government. We can do it for lower cost since so much of the work has already been done. The lands have been identified. Here's the map. This section right here and this section right through there.

This amendment is a stall tactic, quite frankly, to increase the administrative burden and increase costs to the State.

Subsection (d) also requires for the State to cover all costs. It is grossly unfair to ask the State to pay for an appraisal and then be made to comply with bureaucratic Federal rules in the process of valuation. The legislation leaves the Secretary ample authority to properly protect taxpayers and does not waive any applicable appraisal standards. Both H.R. 5544 and Minnesota Senate File 1750 require negotiations to be mutually agreed upon, and the lands conveyed to the State would be subject to all applicable State and local laws.

I urge my colleagues to oppose this amendment.

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

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

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

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

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

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112–660 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. MCCOLLUM of Minnesota.

Amendment No. 2 by Mr. HOLT of New Jersey.

Amendment No. 3 by Mr. ELLISON of Minnesota.

Amendment No. 4 by Mr. GRIJALVA of Arizona.

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 MS. MCCOLLUM

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) 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 CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 213, not voting 15, as follows:

[Roll No. 563]

AYES—201

Ackerman
Altmire
Andrews
Baca
Barber
Barrow
Bass (CA)
Becerra
Berg
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Camp
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kline
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern

McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—213

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—15

Akin
Baldwin
Broun (GA)
Brown (FL)
Burton (IN)
Butterfield
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Ryan (WI)
Towns
Welch

□ 1418

Messrs. MANZULLO and BISHOP of Utah changed their vote from ''aye'' to ''no.''

Messrs. PERLMUTTER, NEAL, JONES, DOLD, HANNA, DANIEL E. LUNGREN of California and RUSH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN HONOR OF AMBASSADOR STEVENS AND AMERICAN PERSONNEL KILLED IN LIBYA

The Acting CHAIR (Mr. BOEHNER). Last night, Americans received a jolting reminder that freedom remains under siege by forces around the globe who relish violence over free expression and terror over democracy.

The Chair asks that all present rise and observe a moment of silence in honor of Ambassador Stevens and the American personnel killed in Libya.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR (Mr. WOMACK). Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 236, not voting 16, as follows:

[Roll No. 564]

AYES—177

Ackerman
Altmire
Andrews
Baca
Barber
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—236

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Baldwin
Broun (GA)
Brown (FL)
Burton (IN)
Butterfield
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
LaTourette
McCarthy (CA)
Ryan (WI)
Schock

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1427

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) 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 is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 225, not voting 14, as follows:

[Roll No. 565]

AYES—190

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—225

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—14

Akin
Broun (GA)
Brown (FL)
Butterfield
Culberson
Franks (AZ)
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
McCarthy (CA)
Myrick
Ryan (WI)

□ 1431

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 223, not voting 15, as follows:

[Roll No. 566]

AYES—191

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre

McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—223

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—15

Akin
Broun (GA)
Brown (FL)
Butterfield
Culberson
Fortenberry
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Landry
McCarthy (CA)
Ryan (WI)
West

□ 1435

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WOODALL). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. WOODALL, 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. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and, pursuant to House Resolution 773, he reported the bill, as amended by that resolution, back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1440

MOTION TO RECOMMIT

Mr. ELLISON. I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ELLISON. I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Ellison moves to recommit the bill H.R. 5544 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of section 2(b) (page 3, line 20, of the Rules Committee print), insert the following new sentence: ''The Secretary may not include in the exchange under this section any National Forest System land in the State that, as of the date of the enactment of this Act, is used for hunting, fishing, or motorized recreation, including snowmobiling in season.''.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Mr. Speaker, this final amendment to the bill, if adopted, will not kill the bill or send it back to committee. This bill will immediately be voted upon on final passage as amended.

Mr. Speaker, this bill that we're arguing about right now actually is not necessary. The Minnesota State legislature has already decided that in one of the most beautiful wildernesses in our country, the Boundary Waters, that there will be about 86,000 acres transferred out of there into the Superior National Forest. The land will be moved from this wilderness area into the Superior National Forest, and the proceeds will be used to benefit Minnesota schoolchildren.

What this bill actually does is it doesn't actually facilitate the transfer. The Minnesota State legislature has handled that. What it does is it allows the circumvention of the regular process so that Minnesotans who are part of the business community, the school community, the local community, who are part of the recreational community, who have a stake in this thing, that they will be cut out of the deal. They won't be able to have the transparency that is necessary.

Without a doubt, the land that will be transferred will be transferred for the purpose of commercial exploitation, most likely mining. And mining, as you know, may have commercial importance and commercial benefit, but it is a dirty business. It does affect the businesses that are around it.

This bill is designed to help and will help the mining and the timber industry in northern Minnesota. But as we go about this process, we can at least do what we can to make sure that as the transfer takes place, that the outdoor recreational businesses, which are about $1.6 billion in northeastern Minnesota, do not get sacrificed in the process.

The Superior National Forest and Chippewa National Forest and the Boundary Waters Canoe Area Wilderness make up Minnesota's premiere outdoor recreation area. They're just beautiful. I can tell you, Mr. Speaker, there's been many a time when I've led young people up to the Boundary Waters so they can get out of the urban environment, into the natural wilderness, and experience what I believe is God's country.

As we effect this change and these land swaps are taking place, and there's no real process—we're bypassing it through this bill—to have real transparency, the interests of the recreational industry, the people who fish, the people who paddle, the people who hunt, and the businesses that supply them are at stake.

My amendment would simply protect the land in these forests currently used for hunting, fishing, snowmobiling, bird watching, and all sorts of other activities, and the commercial interests associated with allowing them to do that.

The land that we're talking about has very high recreational value. The

Chippewa and Superior National Forest provide habitat for hunting and game like grouse, deer, or waterfowl. They contain some of the Nation's best fishing lakes, filled with trout, walleye, bass, and pike. I encourage all of you to come and visit. They attract 250,000 visitors every year, Americans of all kinds, but even international visitors, but mostly Minnesotans right from the area and from the Twin Cities.

The fact is the Superior National Forest is the eighth-most visited in the entire National Forest system. They drive, as I mentioned already, Mr. Speaker, $1.6 billion in tourism and recreation industry in northeastern Minnesota. Thousands of small businesses rely on the National Forest, including everything from resorts, to hunting outfitters, to local restaurants and shops.

I might add, there are almost—in fact, I would say there are no—restaurants or outfitters who name their business after the sulfide mines. No. They call themselves the Boundary Waters Cafe. They name themselves after the beauty and the natural wonder in the area.

This bill puts recreation at risk and the industry that supports it. This bill provides no protection for lands with high recreational value. In fact, it explicitly says that land acquired by the State should be used first for revenue-generating activities, such as mining and logging. This is why hunting and angling groups in Minnesota oppose the bill, including the Minnesota Conservation Foundation, Minnesota Backcountry Hunters and Anglers, and the Minnesota division of the Izaac Walton League.

What's more, Mr. Speaker, the bill does not even identify which lands will be exchanged. We don't even know in this map which private property interests will be affected.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, apparently the author of the motion to recommit did not read the underlying bill because what he seeks to do is say you can't exchange land that is open to essentially multiple use, recreational activities. On section 2 of page 5, very specifically in the bill, it says that these activities shall be allowed.

I don't know exactly what point the gentleman is trying to make by offering this motion to recommit, unless it is a political statement of some sort. Even if it's a political statement, I have to say, Mr. Speaker, it falls short in that regard.

Why do I say that? Because last spring, specifically on April 17, we had a bill that this body considered on the floor, H.R. 4089, authored by our colleague from Michigan, Mr. BENISHEK, called the Sportsmen's Heritage Act of 2012. The essence of that bill was to allow hunting and recreation on Federal lands, and yet the author of the motion to recommit is coming down here saying we should have multiple use on this forest, but he voted against the bill, H.R. 4089, this spring.

□ 1450

I have to tell you, Mr. Speaker, the crocodile tears I hear or see from the other side is overwhelming to me. This motion to recommit ought to be defeated. The land exchange that is authored by our colleague from Minnesota rights a wrong that was wrongly made 34 years ago.

I urge my colleagues to vote ''no'' on the motion to recommit and ''yes'' on passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. ELLISON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 183, noes 233, not voting 13, as follows:

[Roll No. 567]

AYES—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—233

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Akin
Broun (GA)
Brown (FL)
Butterfield
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Johnson, Sam
Moran
Ryan (WI)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1505

Mr. YARMUTH changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 225, noes 189, not voting 15, as follows:

[Roll No. 568]

AYES—225

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOT VOTING—15

Akin
Broun (GA)
Brown (FL)
Butterfield
Chandler
Culberson
Gingrey (GA)
Herger
Hirono
Holden
Jackson (IL)
Johnson, Sam
Moran
Ryan (WI)
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1512

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 773, I call up the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. YODER). Pursuant to House Resolution 773, the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5949

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 ''FISA Amendments Act Reauthorization Act of 2012''.

SEC. 2. FIVE-YEAR EXTENSION OF FISA AMENDMENTS ACT OF 2008.

(a) EXTENSION.—Section 403(b) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2474) is amended—

(1) in paragraph (1), by striking ''December 31, 2012'' and inserting ''December 31, 2017''; and

(2) in paragraph (2) in the material preceding subparagraph (A), by striking ''December 31, 2012'' and inserting ''December 31, 2017''.

(b) CONFORMING AMENDMENT.—The heading of section 404(b)(1) of the FISA Amendments Act of 2008 (Public Law 110–261; 122 Stat. 2476) is amended by striking ''DECEMBER 31, 2012'' and inserting ''DECEMBER 31, 2017''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 5949, as amended, and currently under consideration.