NOT VOTING—5

Cleaver	Gibson	Sinema
Dingell	Hudson	

□ 1456

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIVE AMERICAN ENERGY ACT

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 538.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 466 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. 538.

The Chair appoints the gentleman from North Carolina (Mr. ROUZER) to preside over the Committee of the Whole.

□ 1458

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. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, with Mr. ROUZER 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 Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska.

□ 1500

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

H.R. 538 has been in the works for several years. This is not a bill that came out of nowhere. Its provisions are the result of oversight hearings and consultation with Indian tribes and Alaska Native Corporations. The bill streamlines Federal permitting for, and increases tribal control over, energy and other natural resource development on Indian lands. It gives tribes options to perform or waive appraisals of their lands and prohibits the Interior Department's hydraulic fracturing from applying to Indian lands without the consent of the tribe.

It also contains provisions to streamline judicial review and deter frivolous lawsuits concerning Federal permitting for Native American energy projects. The judicial review provisions are crucial for Alaska Natives, whose ability to develop their land claims settlement lands has been abused by special interest groups filing lawsuits.

The bill also authorizes a pilot project for the Navajo Nation to handle mineral leasing of its trust lands if Interior approves its tribal leasing program.

Finally, Mr. Chairman, H.R. 538 promotes tribal forest stewardship contracting on Federal lands adjacent to Indian reservation land to provide a full supply of biomass energy for the tribes.

This summer, the GAO issued a report called ''Indian Energy Development—Poor Management by BIA Has Hindered Energy Department on Indian Lands.'' Here a couple of the highlights:

''The BIA does not have comprehensive data to identify ownership and resources available for development, does not have a documented process or data to track and monitor its review and response times, and some offices do not have the skills or adequate staff resources to effectively review energy-related documents.''

''In 2012, Interior's inspector general found that weaknesses in BIA's management of oil and gas resources contributed to a general preference by industry to acquire oil and gas leases on non-Indian lands over Indian lands.''

This is a jobs bill. It provides energy for America, and more than that, it takes care of the tribal community that has been blessed with resources. In some Indian reservations, where unemployment rates are 50 percent, energy jobs are the only high-wage, private sector jobs available for members. These energy jobs dollars go a long way in supporting families.

The Native American Energy Act is strongly supported by a broad array of Native organizations as well as the U.S. Chamber of Commerce, specifically, the National Congress of American Indians, the Affiliated Tribes of Northwest Indians, the Intertribal Timber Council, Navajo Nation, Southern Ute Indian Tribe, Confederated Tribes of the Colville Reservation, Three Affiliated Tribes of the Fort Berthold Reservation, and the Ute Tribe of Utah.

I am a little bit surprised that the White House has issued a statement against this bill. Really, it is not anything new. I always listen to this administration's ''all of the above but none of the below'' as far as energy goes. In other words, the administration promotes only wind and solar, while opposing oil, gas, and coal on Nations' lands—Nations' lands.

In the Dakotas, it takes 15 permits on tribal lands and 2 off of tribal lands. That is a disgrace, and I suggest, with 56 million acres of land, there ought to be the ability to be self-determined, be the first Americans, with the ability to take and produce energy, and help their tribal members out.

Those that oppose this, it is the same old story: don't get too smart; we will give you a side of beef and a blanket. Don't let us help ourselves, let the government tell you what to do.

This is a good piece of legislation. This did not come from me. This came from the Native tribes themselves. It is an example, as we have trust authority, we should let them control their own destiny.

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

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

Mr. Chairman, frankly, we are still not addressing the most pressing needs in Indian Country. Six years later, the Carcieri decision still has not been fixed, despite much lipservice that has been given to it from the majority.

Our colleague Mr. COLE and our colleague Ms. MCCOLLUM both have legislation, bipartisan legislation, that would deal with that immediately. We should call that up. We should have a hearing, and we should deal with this decision that has left so much doubt and confusion in Indian Country.

Sacred sites are in need of identification and protection rather than midnight riders attached to unrelated legislation that violates tribal sacred site protections, as has happened already. Lack of funding from this body coupled with sequestration has left Indian health and education really with no relief in site.

Yes, barriers to energy development on Indian land are among the most pressing needs, both as an economic driver for tribes and for the energy needs of the United States. But this bill does not address the real energy needs on tribal lands, and while we are wasting time on it, these other, and even more pressing needs, just continue to grow more urgent.

The legislation claims to facilitate energy development, but, instead, it short-circuits the review process set up by the National Environmental Policy Act, NEPA, and limits judicial review of development decisions. Instead of helping tribes develop energy resources on their lands, this approach will lead to less environmental protection on Indian lands and less judicial recourse to those affected.

These proposals are not new. We have seen and debated them before as part of the failed Republican energy bills last Congress, and here they are again. The legislation would amend NEPA, one of the Nation's bedrock environmental laws, to limit review of and comment on proposed projects to members of the affected Indian tribe and other individuals residing within an undetermined affected area. This limitation severely restricts public involvement in proposed Federal projects that may affect the environment, a central tenet of NEPA.

Arbitrarily limiting such review and comment would prevent even other Indian tribes with cultural ties in the so-

called affected area from commenting on a proposed project. Limiting the universe of members of the public who can participate in the NEPA process but then failing to actually define that universe is not reform. It is not reform at all.

Additionally, this restriction is not just applicable to energy projects; it applies to any major project on Indian lands. This could mean proposed mining contracts, proposed water development projects, construction of solid waste facilities, and even construction of tribal class III gaming facilities all would slip through this undefined loophole. Nontribal partners would also reap this benefit as well, as long as the project is located on Indian lands.

The legislation also throws up insurmountable barriers to those seeking to hold the Federal Government accountable for its actions in court. It prevents the recovery of attorney's fees in cases challenging energy projects, and it makes a claimant who fails to succeed on the merits of a suit potentially liable to the defendant for attorneys' fees and costs. This makes it extremely difficult, if not impossible, for members of the public—even tribal members whose homelands may be impacted by a major Federal action of any kind—to seek judicial review.

The other side will say this is in response to frivolous lawsuits that have been filed in these cases in the past, but according to the Department of the Interior Solicitor's Office, very few approved energy-related projects have ever been challenged in court. This is truly a solution in search of a problem. It is clear the real intent of this provision is to chill legitimate litigation and to undermine the real teeth of NEPA by making the availability of injunctive relief all but disappear.

Furthermore, this applies even to non-Indian land. If an energy company is developing natural resources anywhere in the United States and they get a tribal partner, they can fall under this provision. This could incentivize energy companies to partner with tribes simply for the benefit of skirting NEPA and profiting from restricted judicial review.

The legislation is opposed by the administration, as well as many environmental and conservation groups. I enter the following letter of opposition to this legislation into the RECORD, which has been signed by the Alaska Wilderness League, Center for Biological Diversity, Defenders of Wildlife, Earthjustice, Green Latinos, The Lands Council, League of Conservation Voters, National Parks Conservation Association, Natural Resources Defense Council, Northern Alaska Environmental Center, San Juan Citizens Alliance, Sierra Club, Western Environmental Law Center, and The Wilderness Society.

ALASKA WILDERNESS LEAGUE, CENTER FOR BIOLOGICAL DIVERSITY, DEFENDERS OF WILDLIFE, EARTHJUSTICE, GREEN LATINOS, THE LANDS COUNCIL, LEAGUE OF CONSERVATION VOTERS, NATIONAL PARKS CONSERVATION ASSOCIATION, NATURAL RESOURCES DEFENSE COUNCIL, NORTHERN ALASKA ENVIRONMENTAL CENTER, SAN JUAN CITIZENS ALLIANCE, SIERRA CLUB, WESTERN ENVIRONMENTAL LAW CENTER, THE WILDERNESS SOCIETY,

September 9, 2015.

Chairman ROB BISHOP,
Ranking Member RAÚL GRIJALVA,
House Natural Resources Committee, Washington, DC.

DEAR CHAIRMAN BISHOP AND RANKING MEMBER GRIJALVA: On behalf of our millions of members and supporters, we write to express our strong concerns with H.R. 538, the ''Native American Energy Act.'' The bill purports to promote and encourage increased energy production on tribal lands by reducing government barriers and streamlining burdensome procedures. While we are not opposed to the development of energy projects on tribal lands under the law, this bill goes far beyond that by severely limiting public involvement in the development of any major project on tribal lands, as well as by insulating potentially environmentally devastating energy projects on tribal lands (or even projects done in partnership with an Indian tribe on non-tribal lands) from judicial review. It further erodes the public interest by diminishing its full authority to conduct appraisals, especially in the context of land exchanges between the federal government and an Alaska Native Corporation. Given the problems with these provisions, we ask that you oppose H.R. 538.

We are particularly concerned with Sections 2, 4, and 5 of this legislation.

Section 2 would diminish the public interest by allowing state-chartered, for-profit corporations to gain full authority to conduct appraisals, especially in the context of land exchanges between the federal government and an Alaska Native Claims Settlement Act (ANCSA) corporation. Many land swaps have been very controversial in Alaska, including in the Arctic National Wildlife Refuge.

Section 4 would amend the National Environmental Policy Act of 1969 (NEPA) by mandating that Environmental Impact Statements (EISs) for any federal action on tribal lands by an Indian tribe ''shall only be available for review and comment by the members of the Indian tribe and by any other individual residing within the affected area.'' This provision would severely undermine one of the most basic tenets of NEPA: to facilitate public involvement in decision making. Additionally, this limitation is applicable to more than energy projects; it applies to any major project on tribal land by a native community. By its terms, section 4 applies to the lands of Native Corporations transferred under the provisions of ANCSA, or associated land trades. For example, if passed into law, this section would limit public participation in a broad range of EISs: Clean Water Act 404 permits for any purpose; highway projects; energy or any other federal project; or funding of any project on tribal lands by an native community. Furthermore, the provision would allow for significantly limiting the defined ''affected area'' such that some members of the public would be excluded from commenting on a draft EIS. This would artificially limit what the agency might learn about the potential impacts of its project, leading to uninformed decision making.

Section 5 aims at insulating energy related projects from judicial review by placing severe restrictions on the time in which to file claims and making the pursuit of any legal challenge overwhelmingly cost-prohibitive. In addition to curtailing the amount of time an individual or group has to challenge the decision to only 60 days, Section 5 further restricts judicial review by requiring plaintiffs to pay the attorney's fees and costs of the defendants if they do not ''ultimately prevail.'' Furthermore, even where plaintiffs are successful in their challenge, this section precludes them from winning awards typically provided for through the Equal Access to Justice Act (EAJA) and the Treasury Department's Judgment Fund. EAJA and the Judgment Fund costs are incredibly important in cases which seek non-monetary relief, such as those involving environmental protection and public health issues. These funds make the courts accessible to the individual citizen, non-profit organization, small business, or public interest group that would otherwise lack the financial ability to challenge large corporations or the federal government, who are harming their communities or environment in the name of energy development. For over three decades, the financial backstop provided for under EAJA and the Judgment Fund has meant that access to the courts is not limited to those with deep pockets. By eliminating the ability of parties to utilize EAJA or the Judgment Fund, H.R. 538 prevents such individuals or organizations from bringing cases that challenge harmful or illegal energy related projects. Section 5 creates insurmountable barriers to justice at the expense of the American public and rejects equal access to the courts in favor of a perverse pay-to-play system.

Additionally, Section 5 defines ''energy related action'' broadly so as to ensure the restrictive judicial review provisions of this section apply equally to projects on tribal land as well as those energy projects on non-tribal lands where at least one tribe is involved. This invites the partnering of energy corporations with native communities for the purpose of limiting judicial review.

Finally, Section 9 of the bill would eliminate health and environmental protections established by the Department of the Interior in rules regarding hydraulic fracturing. Those living on and near tribal lands would possibly be subjected to heightened risk of spills, underground contamination from toxic chemicals, weakened air quality, reduced well construction standards, and other benefits from DOI's updates to long out-of-date rules.

We recognize the self-determination framework for federally recognized tribal governments and tribal members, but it is important to ensure that development decisions adequately address all of the impacts of those decisions, some of which occur well beyond the project site, and that the public has the ability to participate. H.R. 538 eliminates broad public participation for projects on tribal land, including ANCSA Corporation lands. Further, it will have a significant chilling effect on the ability of the public (including tribal members) to seek judicial review of a decision related to an energy project on Indian land or proposed by (or done in partnership with) an Indian tribe to ensure that the project complies with the law. For these reasons, we ask that you oppose H.R. 538.

Sincerely,

Alaska Wilderness League, Center for Biological Diversity, Defenders of Wildlife, Earthjustice, Green Latinos, The Lands Council, League of Conservation Voters, National Parks Conservation Association, Natural Resources Defense Council, Northern

Alaska Environmental Center, San Juan Citizens Alliance, Sierra Club, Western Environmental Law Center, The Wilderness Society.

Mr. GRIJALVA. Mr. Chairman, instead of using energy development on Indian land as an excuse to weaken NEPA and judicial review, we should be concentrating our efforts on real reform that would achieve tribal self-determination and energy development. We should be dealing with the disparities in the Tax Code that stymie investments in Indian Country and create an unfair playing field. Tax credits and incentives for energy development that cities and communities have long used to their benefit, these need to be available to tribes as well. We should be encouraging investment in the future of renewable energy on tribal lands.

According to the Department of Energy Office of Indian Energy, Indian land contains an estimated 5 percent of all renewable energy resources, and the total energy potential from these resources is almost 14 percent of the total U.S. potential. In my home State of Arizona, there is a great potential for solar, wind, and geothermal energy on Indian land. We just need to fix the real issues that prohibit the investment in these projects.

But this bill doesn't do that. Instead, the majority is here today to once again attack NEPA and judicial review, this time attempting to use this as a wedge issue, attempting to drive a wedge between people that care about tribal self-determination as well as environmental stewardship.

Picking between tribal sovereignty and responsible energy development is a false choice. We can have both. We can have successful energy development in Indian Country while retaining the environmental protections that will ensure future generations of Native Americans that they, too, can enjoy the benefits of that economic development.

Mr. Chairman, I urge my colleagues to abandon this irresponsible proposal in favor of a real tribal energy bill. In the meantime, I would plead with my colleagues to bring legislation to the floor addressing Indian health care, Indian education programs, a codified process for tribal consultation with Federal agencies that respects sovereignty and upholds the trust responsibility that we have to Indian Country, and a fix—finally, a fix—for the current cloud hanging over the status of so many trust lands.

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

Mr. YOUNG of Alaska. Mr. Chairman, I would like to mention one thing. I do have an amendment for a future day—I am speaking to the gentleman—on NEPA. We don't change the NEPA policy at all, other than the fact that only those affected can have comments on how it affects their land, not a bunch of people from New York or Maine or Dallas or Florida. So that is really a red herring that was drug across this bill. This is to help the tribes.

Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), my good chairman of the full committee.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the gentleman from Alaska yielding.

There are some Native American tribes that do not rely on gaming alone for their source of revenue. They can't. It is amazing how often we hear, dealing with North American Native tribes, all of a sudden give lipservice that we would like to empower them, until they actually have a chance to do so; and then, all of a sudden, we change. We are talking about a lot of tribes who have a great deal of land but very little employment.

This bill, in fact, is based on recommendations that come from Indian Country. By that, I don't mean the Bureau of Indian Affairs, because they, shamefully, oppose this bill. I do mean groups like Southern Utah Utes, the Confederated Tribes of Colville, the National Congress of American Indians, the Affiliated Tribes of Northwest Indians, and community groups like the Chamber of Commerce. All of those people are realizing the importance of this particular bill in empowering Native Americans in this Nation.

I hope we do not turn this into a partisan affair by saying, by voting ''no'' on this bill, you might get three Democrat callers on C–SPAN to support your vote. But it still does not make that right. We need to do something differently.

In these areas in which the potential employment is based on agriculture, mining, and energy, we don't need more regulations on the Native Americans than there are on everybody else. We don't need duplicative regulations on them more than anybody else. Instead, we need to streamline that so they can be successful in charting their own destiny and making their own choices.

Far too often we have too many people, unfortunately, with titles around this place that still have a paternalistic attitude toward Native Americans. That attitude has to change. This is what this bill does.

It is amazing. Sometimes when this administration says, well, if it deals with marijuana, they are a Native tribe, they are a sovereign country, let them do what they want to; but if it deals with agriculture and mining, well, not so fast. That is public lands. We still need to have some kind of control over that.

That is the problem: pot, yes; energy, no. That doesn't work. We need these people to be able to make decisions for themselves.

I appreciate the chairman of the subcommittee mentioning that he does have an amendment on NEPA which does solve those problems. This is not a NEPA issue. This is an issue on whether we truly believe in empowering Native Americans so they can make decisions for themselves and help their own people.

□ 1515

I had a chairman of a tribe who sat in my room and wisely said: I don't care what game we play. I just want to know what the ball looks like.

This bill gives them a chance to see the ball. It gives the Native Americans a chance to approve the design of the ball. More importantly, it gives them a chance to win.

So, Lucy, please, just before contact, don't pull the ball away. Let the Native Americans win. This bill gives them an opportunity to win and chart their own destiny. That is why they support it, and that is why we should vote for it.

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

The GAO report has mentioned many times about the rationale behind and the catalyst behind this particular legislation; yet, the conclusion, which I agree with, is that we are not living up to our responsibilities as it applies to energy development on Indian land.

But reading the recommendations, nowhere does it say that the solution to the problem is to gut NEPA or to stifle judicial recourse. Instead, the recommendations talk about resources that are needed by Indian Country to successfully fulfill their obligations and responsibilities to their members. It talks about staffing shortages, outdated mapping systems, and the need to ensure that the BIA can provide support to the tribes on energy programs.

These are things the BIA has asked for in their budget and that the President's budget sent over has requested time and time again. Funding these requests go unheeded by this majority.

So it is disingenuous, as the majority does time and time again, to starve an agency or a program of needed funding and then to complain that that agency program is ineffective.

It is also disingenuous to say that the responsibility to work with and honor our trust responsibility to Indian Country is down to the choice in this legislation whether you vote ''yes'' or ''no.''

As I stated in my opening statement, there is a litany of pressing issues that face Indian Country and Native Americans in our Nation, a litany of benign neglect for many, many years, of which all bear responsibility.

But with that responsibility comes also the opportunity to act. The fix is necessary so that fact is quelled on a bad Supreme Court decision. We need the adequate funding so that the trust responsibility that we inherit as Members of Congress is upheld.

We need programs of infrastructure in Indian Country. We need many, many issues to address not only the human need, but the economic needs of Indian Country.

To say that this bill is the watershed moment that is going to turn all that benign neglect and irresponsibility backwards is disingenuous at best.

I would suggest let's talk about a real comprehensive approach to the issue of Indian Country and the support this Congress needs to give to our trust responsibility.

If we do that, I am sure all of us collectively can come to the same conclusion, that we need to do something and that there is before us legislation from both sides of the aisle that begin to address it.

This legislation is not it. It is not a panacea. And to pit the trust responsibility this Congress has and to question whether sovereignty is supported or not by Members that oppose this is not fair.

The fairness in this would have been an energy bill that is comprehensive. The fairness would have been not to gut NEPA, judicial review, and present a bill that is clean and upholds bedrock environmental laws and—and it is not complicated—uphold the trust responsibility that we have when we swear an oath of office to serve in this Congress.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, at this time, I yield 3 minutes to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Chairman, I rise in support of the Native American Energy Act.

Having an all-of-the-above energy policy means all people in all communities. Each community across the country should have the opportunity to unleash the natural resources closest to them to help meet their energy needs. For those of us in the Pacific Northwest, it means encouraging biomass.

We have just had a devastating wildfire season, and the issue of forest health continues to be on the forefront. Fallen trees, overgrowth, and general mismanagement have led to worsening fire seasons.

By encouraging forest products for biomass, we would add and have a benefit of reducing forest fire risk by keeping our lands healthier, in addition to creating a stable energy source.

This legislation allows a pilot project to encourage greater biomass production on tribal forestland. In my district in eastern Washington, it would help the confederated tribes of the Colville Reservation, who already play a very active role in forest management, get new tools at their disposal to maintain the health of the adjacent forest to the reservation. It would help them develop energy and, most importantly, help them protect their homeland.

I am proud to support this legislation and encourage my colleagues to do the same.

Mr. GRIJALVA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, at this time, I yield 3 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Chairman, I rise today to give my voice in strong support for the Native American Energy Act.

I would also like to be able to thank Chairman YOUNG and Chairman BISHOP for their leadership and support of Native American energy development.

Energy resource development on Native American lands is important and becoming increasingly significant year after year. For example, in 2014, responsible conventional energy development on Native American lands alone generated revenues of $24 billion.

This revenue figure does not include renewable energy development on tribal lands, which is the potential to increase revenues, jobs, and household incomes for Native American communities.

I am privileged to be able to represent the Southern Ute Indian Tribe located in southwest Colorado. Some of my colleagues know that the Southern Ute Indian Tribe is a model of tribal governance and economic development. The tribe is widely known as the premier natural gas developer and the largest employer in the region.

I am extremely proud that the Southern Ute Indian Tribe continues to take the lead in demanding that the Federal Government respect self-determination and tribal decisionmaking when it comes to energy and environmental regulation.

To his credit, Chairman YOUNG continues to hold numerous oversight hearings and legislative hearings to allow tribal leaders to illustrate the challenges they face daily as they attempt to develop their natural resources so that they can provide programs, services, and jobs for their nations.

The result is H.R. 538, which will remove a number of these barriers. The legislation streamlines the appraisal process that must be undertaken by the Department of Interior because the status quo has resulted in delays that have caused the tribe to miss out on royalty payments totaling more than $95 million.

The legislation also amends the Tribal Forest Protection Act of 2004, to direct the Department of Interior to enter into agreements with tribes to carry out demonstration projects that promote biomass energy production on Native American forestland and in nearby communities by providing tribes with reliable supplies of woody biomass from Federal lands.

It also prohibits the Interior rule regarding hydraulic fracturing from having any effect on land held in trust or restricted status for Native Americans, except with the express consent of the Indian beneficiaries. The Southern Ute's repeated attempts to ensure tribal lands were not included in this misguided rule were completely disregarded by this administration.

Fortunately, H.R. 538 promotes Native American self-determination, strengthens tribal sovereignty, and reinforces our commitment to tribal self-sufficiency.

I urge my colleagues to support this vital legislation.

Once again, I thank Chairman YOUNG for his leadership and Chairman BISHOP on this issue.

Mr. GRIJALVA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, at this time, I yield 3 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today to express my support of this commonsense legislation.

This bill empowers Native Americans to invest in their communities, their people, and their resources as they see fit without the heavy hand of Washington bureaucracy trying to insert itself between them and their own land.

Under current policy, potential resource development on tribal lands face many obstacles that projects on private or State lands do not.

Before entering into a lease agreement with energy developers on their own land, a tribe must first attempt to navigate the long, slow, and duplicative process of the Department of Interior's approval. This process can be fraught with litigation and delays that chase away potential investments and crush otherwise viable projects.

The Native American Energy Act streamlines many of the duplicative Federal regulatory hurdles that prevent tribes or individuals from profitably developing energy resources on their land.

This will provide tribes with greater control over how they best develop their own natural resources and allow them to do so in ways that will best benefit their communities, not a D.C. bureaucrat's ideology.

Because of the commonsense and empowering reforms it contains, this bill has widespread support from the Indian tribes. It is odd that the only groups on record in opposition to this bill are the Obama administration and some Democratic members of the Natural Resources Committee.

Why does the administration continue to insist that bureaucrats from their comfy leather chairs and marble offices in Washington, D.C., know more about how to manage Indian land than the tribes themselves?

If Congress is actually serious about supporting tribal efforts to generate high-paying jobs and improving the everyday standard of living in American Indian communities, this bill is a real, concrete way to empower them to do so.

I commend the chairman and the committee for their work on this bill. I strongly urge my colleagues to support it.

Mr. GRIJALVA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, at this time, I yield 3 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I thank the gentleman from Alaska for bringing this legislation forward.

In my hometown of Hobbs, New Mexico, truck drivers are making $100,000 a year. They don't have to have a college degree, not even a high school diploma. And, yet, we limit this sort of opportunity on tribal lands. This bill is fairly simple. Simply let them free. Let them free to develop their lands in the way they want to.

I heard one of my colleagues say that there are no frivolous lawsuits. Just this week the WildEarth Guardians were found to have filed a frivolous lawsuit on matters such as these, trying to stop development, trying to hold things up. The judge said this is frivolous. It is the WildEarth Guardians v. Kirkpatrick decision that is very recent.

We are told that there are a litany of issues that we should be dealing with. I will tell you that Native Americans are sophisticated enough to take care of their own problems. They just need the opportunity to have jobs. They need the opportunity for economic development inside their own nations.

Just recently we hosted in New Mexico a gathering of different tribes who are looking at investments in oil and gas. One lady said: My son is working in North Dakota for $60,000 a year, and he should be working here on the reservation in the oil and gas industry for $60,000 a year. That is the urgency that I am sensing on the reservations.

The reservations are beginning to build their own houses, and they are doing magnificent work. They are becoming self-determined. But we here in Washington say we know better. Mr. YOUNG's bill says that we don't know better.

Just let them develop what they want. Take the shackles off, take the chains loose, and let the American spirit that is on the reservations live and breathe. It is a very simple concept, but one some have a very difficult time accepting.

I say vote for H.R. 538 and put them free.

□ 1530

Mr. GRIJALVA. Mr. Chair, I yield myself such time as I may consume. I just want to note that the Democrats on the Natural Resources Committee filed several amendments to this bill. We felt our Members were squarely within the House rules.

Sadly, the majority on Rules failed to make any of their amendments in order. One of these rejected amendments would have fixed the terrible mess created by the decision in Carcieri.

If you want to help tribes in a legitimate, coequal way control their own lands and move closer and closer to self-determination, you have to address this problem. It is telling that my friends on the other side have refused to even address the bill or to have a legitimate hearing on the bill.

Let me just in closing address the Statement of Administrative Policy.

While the administration supports the need to facilitate energy development in Indian Country, it does not support H.R. 538, the Native American Energy Act. This bill would undermine public participation and transparency of review of projects on Indian lands under the National Environmental Policy Act, set unrealistic deadlines, and remove oversight for appraisals of Indian lands or trust assets, and prohibit awards under the Equal Access to Justice Act or payment of fees or expenses to a plaintiff from the judgment fund in an energy-related action.

By foreclosing the judgment fund, this provision would negatively impact the Indian Affairs budget that is intended to serve all tribes. In addition, this bill's changes to mineral leasing loss applicable to Navajo Nations land may adversely affect energy development on these lands.

The bill also stipulates that Indian lands are exempt from the Department of the Interior's hydraulic fracking rule. That rule already contains the provision allowing for variances from the rules requirements when tribal laws meet or exceed the rule standards.

The rule approach both protects environmental and trust resources while also protecting decisionmaking of the tribes. Overall, H.R. 538 would not ensure diligent development of resources on Indian land.

The administration appreciates the committee's efforts to address energy needs in Indian Country. Income from energy development is one of the largest sources of revenue generated from trust lands, and delays in development translate to delays in profits to Indian mineral rights owners.

The administration has been taking meaningful action to update the leasing process for lands held in trust for Indian tribes and is actively working to expedite appraisals, leasing, and permitting on Indian lands, and to provide resources to ensure safe and responsible development.

The administration looks forward to working with Congress to develop the reforms necessary to support this development.

The point is that this legislation is a rush to judgment. It is a gift, in a sense, when you exempt from the judicial review and from NEPA the exploration and production of energy on Indian land. As coequals, these environmental protections and public processes are intended for all.

So rather than be patronizing, as coequals and within our trust responsibility, this bill should be rejected. We should work on comprehensive energy opportunity legislation that truly recognizes self-determination for all members of tribes, provided the environmental, public health, and judicial processes would guarantee them that they would be treated equal under the law.

I yield back the balance of my time.

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

In closing, I suggest one thing. This bill came from the tribes, not from the Sierra Club and not from the friends of this and not from the friends of that. All 28 organizations had nothing to do with the tribes.

I have said all along—and I am pretty well related to the Athabascan Tribe in Alaska—it is time they are given the opportunity to fulfill the self-determination act that we passed. Words do not do that.

This administration has these great conferences, and we invite everybody down and winky, winky, and now have a good time. Nothing happens administratively.

Now, I know there is some legislation and I am working very hard to get legislation, but I can't do it all. I have to do it one little step at a time.

This bill is requested by American Indians to have more control over their land.

I have to remind this Congress that I sit in that we are now ranked in the nations around the world 20th in the freedom category. We have gone from number 1 to 20th. Think about that. The American Indians, our first people, are 13th in freedom because of our so-called free government. Now, there is something wrong with that.

We are doing an indirect thing, as trustees, by not allowing them to expand their God-given right, their ability, their intellectual capability, to expand their self-worth and keep their identity.

Every time we try to bring a bill to the floor to do that, it is, first of all, ''We can do it better administratively.'' That is why they are ranked 13th in freedom because of our government.

Now, I want everybody to think about this in Congress, from number 1 freest nation in the world to right now 20. That is not a good thing.

In the last 5 years, we have dropped three spaces in that freedom chart, mainly because of overreach, regulation, and dictation by our government. That is what it is based on. Individual freedoms are lost.

Try that as a tribe and have to go through all the other steps that the other person doesn't have to. Well, they dropped down to 13th.

I am asking the people in this body to support this bill if you believe in self-determination, if you believe in self-sufficiency, if you believe in the right to get ahead, especially in nations by this Congress that gave them the ability to be self-determined. They really take it away.

So this is a good piece of legislation, a piece of legislation that should be voted ''yes'' on. We should give a chance for the American Indian to go forth as I know they have the capability of.

I yield back the balance of my time.

Mr. DEFAZIO. Madam Chair, today I will vote against H.R. 538, the Native American Energy Act. The bill makes needed changes to allow tribes to fully manage their lands which I strongly support. Unfortunately, it goes too far by weakening bedrock environmental protections, and makes it difficult for those with legitimate legal grievances to seek justice.

Technically the 2005 Energy Act allows tribes to enter into energy development leases

through what are called Tribal Energy Resource Agreements, which must be approved by Interior. I say technically because no tribe has ever been successful in doing so. Tribes have submitted proposals that have sat with Interior for as long as eight years and then were never approved. Interior has never clarified what requirements are needed to gain approval. Potential business partners cannot and will not sit wait to see if the federal government will do its job. They will find partners that are able to move forward.

One of most laudable parts of the bill is the creation of biomass demonstration projects. Our forests are overgrown and are infected with insects and disease. Fuel reduction is vital to forest health and reducing the severity of fires. Often overgrowth is not suitable for timber production, but can be suitable for energy production. Many tribes are ready to take advantage of these resources; they have their own processing facilities, trained work force and infrastructure in place to discover benefits to improve forest health, maintain fish and wildlife habitat, and create renewable energy.

Tribes, lest we forget, are sovereign nations. Yet they regularly encounter obstacles not experienced by private landowners. The federal government already has the tools to solve this inequity, but refuses to do so. The lack of urgency to correct what amounts to bureaucratic indifference is not acceptable. America's first stewards of the land have the right to manage and develop their lands, and the federal government's inaction to ensure their rights is deplorable.

Because the bill goes beyond necessary reforms by curtailing environmental and judicial review, the president has issued a veto threat. I look forward to the Senate removing those provisions which unnecessarily hinder what could be a good bill and sending it back to the House.

The Acting CHAIR (Ms. FOXX). All time for general debate has expired.

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

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–30. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 538

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 ''Native American Energy Act''.

SEC. 2. APPRAISALS.

(a) AMENDMENT.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

''SEC. 2607. APPRAISAL REFORMS.

''(a) OPTIONS TO INDIAN TRIBES.—With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) provide to the Indian tribe a written notice of approval or disapproval of the appraisal.

''(c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE.—If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved.

''(d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL.—

''(1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of paragraphs (2) and (3).

''(2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe.

''(3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken.

''(e) DEFINITION.—For purposes of this subsection, the term 'appraisal' includes appraisals and other estimates of value.

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall use for approving or disapproving an appraisal.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. 13201 note) is amended by adding at the end of the items relating to title XXVI the following:

''Sec. 2607. Appraisal reforms.''.

SEC. 3. STANDARDIZATION.

As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall implement procedures to ensure that each agency within the Department of the Interior that is involved in the review, approval, and oversight of oil and gas activities on Indian lands shall use a uniform system of reference numbers and tracking systems for oil and gas wells.

SEC. 4. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting ''(a) IN GENERAL.—'' before the first sentence, and by adding at the end the following:

''(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.—

''(1) IN GENERAL.—For any major Federal action on Indian lands of an Indian tribe requiring the preparation of a statement under subsection (a)(2)(C), the statement shall only be available for review and comment by the members of the Indian tribe and by any other individual residing within the affected area.

''(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

''(3) DEFINITIONS.—In this subsection, each of the terms 'Indian land' and 'Indian tribe' has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 6 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 5. JUDICIAL REVIEW.

(a) TIME FOR FILING COMPLAINT.—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) DISTRICT COURT VENUE AND DEADLINE.—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) APPELLATE REVIEW.—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) LEGAL FEES.—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) AGENCY ACTION.—The term ''agency action'' has the same meaning given such term in section 551 of title 5, United States Code.

(2) INDIAN LAND.—The term ''Indian Land'' has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109–58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92–203; 43 U.S.C. 1601).

(3) ENERGY RELATED ACTION.—The term ''energy related action'' means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) ULTIMATELY PREVAIL.—The phrase ''ultimately prevail'' means, in a final enforceable judgment, the court rules in the party's favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

SEC. 6. TRIBAL BIOMASS DEMONSTRATION PROJECT.

The Tribal Forest Protection Act of 2004 is amended by inserting after section 2 (25 U.S.C. 3115a) the following:

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

''(a) IN GENERAL.—For each of fiscal years 2016 through 2020, the Secretary shall enter into stewardship contracts or other agreements, other than agreements that are exclusively direct service contracts, with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEFINITIONS.—The definitions in section 2 shall apply to this section.

''(c) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, the Secretary shall enter into contracts or other agreements described in subsection (a) to carry out at least 4 new demonstration projects that meet the eligibility criteria described in subsection (d).

''(d) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or other agreement under this subsection, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(e) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary—

''(1) shall take into consideration the factors set forth in paragraphs (1) and (2) of section 2(e) of Public Law 108–278; and whether a proposed demonstration project would—

''(A) increase the availability or reliability of local or regional energy;

''(B) enhance the economic development of the Indian tribe;

''(C) improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(D) improve the forest health or watersheds of Federal land or Indian forest land or rangeland; or

''(E) otherwise promote the use of woody biomass; and

''(2) shall exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(f) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(g) REPORT.—Not later than one year subsequent to the date of enactment of this section, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(h) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(i) TERM.—A stewardship contract or other agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.''.

SEC. 7. TRIBAL RESOURCE MANAGEMENT PLANS.

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

SEC. 8. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.

Subsection (e)(1) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(e)(1); commonly referred to as the ''Long-Term Leasing Act''), is amended—

(1) by striking '', except a lease for'' and inserting '', including leases for'';

(2) in subparagraph (A), by striking ''25'' the first place it appears and all that follows and inserting ''99 years;'';

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of mineral resources, including geothermal resources, 25 years, except that any such lease may include an option to renew for one additional term not to exceed 25 years.''.

SEC. 9. NONAPPLICABILITY OF CERTAIN RULES.

No rule promulgated by the Department of the Interior regarding hydraulic fracturing used in the development or production of oil or gas resources shall have any effect on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–290. Each such 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 MR. YOUNG OF ALASKA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–290.

Mr. YOUNG of Alaska. Madam Chair, I have an amendment that was made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike lines 9 through 15, and insert the following:

''(1) REVIEW AND COMMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the statement required under subsection (a)(2)(C) for a major Federal action regarding an activity on Indian lands of an Indian tribe shall only be available for review and comment by the members of the Indian tribe, other individuals residing within the affected area, and State, federally recognized tribal, and local governments within the affected area.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to a statement for a major Federal action regarding an activity on Indian lands of an Indian tribe related to gaming under the Indian Gaming Regulatory Act.

The Acting CHAIR. Pursuant to House Resolution 466, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Madam Chairman, this amendment clarifies who may submit public comments on a NEPA study concerning a Federal permit or land approval for Indian lands. It also preserves current NEPA requirements concerning tribal gaming proposals.

When a NEPA study is done on Federal action, like a mineral lease approval on Indian lands, the agency must consider comments received by any member of the public, regardless of whether they are affected. This is unfair to the tribe because tribal lands are not public land. They are private lands.

Section 4 of the bill limits public comment in these situations to the tribe and individuals who live within the affected area of the project.

Section 4 was drafted. We expected an individual living within the affected area would include State, tribal, and county officials, but no one from New York or San Francisco. It is none of their business.

To address any ambiguity, the amendment would clarify that tribe, States, and county governments within the area affected may have their comments considered along with those of individuals.

Finally, the amendment provides that section 4 will not affect Federal actions related to tribal gaming. Gaming is a unique area of law. Gaming facilities have a significant impact outside the local area.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, I rise to claim time in opposition to the manager's amendment, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. Madam Chair, I just want to tell Chairman YOUNG that I appreciate the lipstick on this particular

piece of legislation, but the content is still haphazard.

It does not fix the underlying problem with public review and judicial review. We are not in opposition, but I appreciate the lipstick.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Madam Chair, I hope it is the right color for Ranking Member GRIJALVA.

I yield back the balance of time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114–290.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Madam Chair, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 6, insert the following:

''SEC. 4. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

''The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self -Determination and Education Assistance Act (25 U.S.C. 450 et seq).''.

The Acting CHAIR. Pursuant to House Resolution 466, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Madam Chair, I yield myself as much time as I may consume.

I rise in support of my amendment that allows the Forest Service to establish a pilot program to execute contracts with tribes under the Indian Self-Determination and Education Assistance Act, known as 638 contracts. 638 contracts allow tribes to manage and implement Federal programs in Indian Country.

When I was the New Mexico Secretary of Health, I witnessed how successful and beneficial these contracts can be at efficiently delivering services to tribes. Through these contracts, tribes can operate hospitals, health clinics, mental health facilities, and a variety of other community health services.

Having tribes manage and operate programs in their communities not only recognizes tribal self-determination and self-governance, but it also helps ensure that tribal needs are being met through traditionally and culturally appropriate methods.

Although several agencies have the authority to execute 638 contracts, such as the Bureau of Land Management, Bureau of Reclamation, Bureau of Indian Affairs and Indian Health Services, the Forest Service does not have this authority. Several tribes have expressed to me that they would like to see the Forest Service have this authority.

Many of the Pueblos in New Mexico have land and tribal forests adjacent to national forests, and we know that wildfires in the past can quickly affect entire regions, regardless of who owns the land.

In fact, the Las Conchas wildland fire, which was one of the largest wildfires in New Mexico history, started on June 26, 2011, in the Santa Fe National Forest and burned more than 156,000 acres in New Mexico, including land belonging to Pueblos of Santa Clara, Ohkay Owingeh, San Ildefonso, Pojoaque Jemez, Cochiti, and Kewa.

So it is imperative that the Forest Service and tribes actively work together to co-manage forests.

This amendment previously passed by voice vote as part of the Resilient Federal Forest Act, which the House passed this July.

I urge my colleagues to once again support my amendment, which will improve the Forest Service's ability to partner with tribes to work on projects that impact tribal lands and forests.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Madam Chair, I ask unanimous consent to claim the time in opposition to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

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

Mr. YOUNG of Alaska. Madam Chair, I yield myself as much time as I may consume.

Madam Chair, I do not oppose the amendment. I just want to congratulate the lady on backing up what is in the bill, making this correct.

We have had testimony from a lot of the timber tribes on how well they have managed their timber, and right next door will be the Forest Service land that is managed terribly. That is a threat to the tribal timber, too.

I really think, if we want to get back on this track of the freedoms I was talking about, if we allow the tribes to contract with the Forest Service, make it a contract for thinning, encouraging growth, managing growth for future timber needs—you know, the native tribes are doing so much better than the Federal tribes. So I compliment the lady on this deal.

□ 1545

I compliment the gentlewoman on this view, and I accept the amendment. I think the gentlewoman is doing a great job, and I appreciate it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Ms. FOXX, 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. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, and, pursuant to House Resolution 466, she reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. 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.

MOTION TO RECOMMIT

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. BEN RAY LUJÁN of New Mexico. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Ben Ray Luján of New Mexico moves to recommit the bill H.R. 538 to the Natural Resources Committee, with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill, add the following:

SEC. 10. PHYSICAL INTEGRITY OF SACRED SITES.

Nothing in this Act shall contravene the authority of the President to avoid adversely affecting the physical integrity of any site, identified as sacred by virtue of established religious significance to, or ceremonial use by, an Indian religion, under Executive Order 13007 (May 24, 1996).

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

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, this is the final amendment to the bill, which does not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I rise today to offer an amendment to protect sacred sites across America. This issue is not a new one. We have been part of many debates here on the floor and in committee on this important issue.

The amendment is straightforward. It reads: ''Nothing in this Act shall contravene the authority of the President to avoid adversely affecting the physical integrity of any site, identified as sacred by virtue of established religious significance to, or ceremonial use by, an Indian religion, under Executive Order 13007.''

Mr. Speaker, as we come from different faiths, we all have respect for one another. Just as we worship in different places, like churches or temples, so, too, should we have respect for these sacred places. Just as we would honor the sanctity of where our loved ones have been laid to rest, so, too, should we honor the sanctity of tribal sacred sites.

Sacred sites are an essential part of the culture and heritage of tribal communities, and the degradation of these sites means a loss of identity as well as disrespect for the faith and religion and the culture and the history of our tribal brothers and sisters who are connected to these lands. Sacred sites should not be desecrated. They should be protected.

I know it is a sentiment that many of us in this Congress share. Protecting sacred sites is the right thing to do. I ask my colleagues to join me in supporting this very important amendment.

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

Mr. YOUNG of Alaska. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. YOUNG of Alaska. Mr. Speaker, there is nothing in this act that changes the President's authority. I go back to self-determination. These are tribal lands owned by the tribes, controlled by the tribal council, and they will make a decision about the sacred sites; not somebody, again, in Miami or New York that wants to stop the project.

These are tribal sites, and that is the thing I don't quite understand. This affects nothing of the present law. If they decide this is a sacred site, that will be their decision, instead of someone else.

I urge people to reject his motion to recommit, and let's pass this legislation, this one little, tiny step forward for our first Americans. This bill came from them and they support it. They are not worried about these sacred sites because they will control them, not somebody who is an official. We take no authority away from the President.

Very frankly, Mr. Speaker, this is a motion to recommit to slow the bill down. They say it doesn't, but this is an attempt to do so. I urge a ''no'' on the motion to recommit and a ''yes'' on the passage for that little, tiny step for the American Indians, our first people.

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.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were 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 of the bill.

The vote was taken by electronic device, and there were—yeas 184, nays 239, not voting 11, as follows:

[Roll No. 543]

YEAS—184

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Brat
Cleaver
Dingell
Hinojosa
Hudson
Payne
Pittenger
Reed
Sinema
Stutzman
Thornberry

□ 1621

Messrs. ROYCE, AUSTIN SCOTT of Georgia, FINCHER, POMPEO, and RYAN of Wisconsin changed their vote from ''yea'' to ''nay.''

Mses. LEE, LORETTA SANCHEZ of California, Messrs. HIGGINS, CONYERS, DOGGETT, and MCDERMOTT changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BRAT. Madam Speaker, on rollcall No. 543 I was unavoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore (Mrs. BLACK). 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.

Mr. YOUNG of Alaska. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 254, nays 173, not voting 7, as follows:

[Roll No. 544]

YEAS—254

Abraham	Fortenberry	McClintock
Aderholt	Foxx	McHenry
Allen	Franks (AZ)	McKinley
Amash	Frelinghuysen	McMorris Rodgers
Amodei	Garrett	McSally
Ashford	Gibbs	Meadows
Babin	Gibson	Meehan
Barletta	Gohmert	Messer
Barr	Goodlatte	Mica
Barton	Gosar	Miller (FL)
Benishek	Gowdy	Miller (MI)
Bilirakis	Granger	Moolenaar
Bishop (GA)	Graves (GA)	Mooney (WV)
Bishop (MI)	Graves (LA)	Mullin
Bishop (UT)	Graves (MO)	Mulvaney
Black	Green, Gene	Murphy (PA)
Blackburn	Griffith	Neugebauer
Blum	Grothman	Newhouse
Bost	Guinta	Noem
Boustany	Guthrie	Nugent
Brady (TX)	Hanna	Nunes
Brat	Hardy	Olson
Bridenstine	Harper	Palazzo
Brooks (AL)	Harris	Palmer
Brooks (IN)	Hartzler	Paulsen
Brown (FL)	Heck (NV)	Pearce
Buchanan	Hensarling	Perry
Buck	Herrera Beutler	Peterson
Bucshon	Hice, Jody B.	Pitts
Burgess	Hill	Poe (TX)
Byrne	Holding	Poliquin
Calvert	Huelskamp	Pompeo
Carter (GA)	Huizenga (MI)	Posey
Carter (TX)	Hultgren	Price, Tom
Chabot	Hunter	Ratcliffe
Chaffetz	Hurd (TX)	Reed
Clawson (FL)	Hurt (VA)	Reichert
Coffman	Issa	Renacci
Cole	Jenkins (KS)	Ribble
Collins (GA)	Jenkins (WV)	Rice (SC)
Collins (NY)	Johnson (OH)	Rigell
Comstock	Johnson, Sam	Roby
Conaway	Jolly	Roe (TN)
Cook	Jones	Rogers (AL)
Cooper	Jordan	Rogers (KY)
Costa	Joyce	Rohrabacher
Costello (PA)	Katko	Rokita
Cramer	Kelly (MS)	Rooney (FL)
Crawford	Kelly (PA)	Ros-Lehtinen
Crenshaw	King (IA)	Roskam
Cuellar	King (NY)	Ross
Culberson	Kinzinger (IL)	Rothfus
Curbelo (FL)	Kirkpatrick	Rouzer
Davis, Rodney	Kline	Royce
Denham	Knight	Russell
Dent	Labrador	Ryan (WI)
DeSantis	LaHood	Salmon
DesJarlais	LaMalfa	Sanford
Diaz-Balart	Lamborn	Scalise
Dold	Lance	Schrader
Donovan	Latta	Schweikert
Duffy	Long	Scott, Austin
Duncan (SC)	Loudermilk	Sensenbrenner
Duncan (TN)	Love	Sessions
Ellmers (NC)	Lucas	Shimkus
Emmer (MN)	Luetkemeyer	Shuster
Farenthold	Lummis	Simpson
Fincher	MacArthur	Smith (MO)
Fitzpatrick	Marchant	Smith (NE)
Fleischmann	Marino	Smith (NJ)
Fleming	Massie	Smith (TX)
Flores	McCarthy	Stefanik
Forbes	McCaul	Stewart
Stivers	Wagner	Williams
Stutzman	Walberg	Wilson (SC)
Thompson (PA)	Walden	Wittman
Thornberry	Walker	Womack
Tiberi	Walorski	Woodall
Tipton	Walters, Mimi	Yoder
Trott	Weber (TX)	Yoho
Turner	Webster (FL)	Young (AK)
Upton	Wenstrup	Young (IA)
Valadao	Westerman	Young (IN)
Vela	Westmoreland	Zeldin
	Whitfield	Zinke

NAYS—173

Adams	Garamendi	Napolitano
Aguilar	Graham	Neal
Bass	Grayson	Nolan
Beatty	Green, Al	Norcross
Becerra	Grijalva	O'Rourke
Bera	Gutiérrez	Pallone
Beyer	Hahn	Pascrell
Blumenauer	Hastings	Pelosi
Bonamici	Heck (WA)	Perlmutter
Boyle, Brendan F.	Higgins	Peters
	Himes	Pingree
Brady (PA)	Honda	Pocan
Brownley (CA)	Hoyer	Polis
Bustos	Huffman	Price (NC)
Butterfield	Israel	Quigley
Capps	Jackson Lee	Rangel
Capuano	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Richmond
Carney	Johnson, E. B.	Roybal-Allard
Carson (IN)	Kaptur	Ruiz
Cartwright	Keating	Ruppersberger
Castor (FL)	Kelly (IL)	Rush
Castro (TX)	Kennedy	Ryan (OH)
Chu, Judy	Kildee	Sánchez, Linda T.
Cicilline	Kilmer	
Clark (MA)	Kind	Sanchez, Loretta
Clarke (NY)	Kuster	Sarbanes
Clay	Langevin	Schakowsky
Clyburn	Larsen (WA)	Schiff
Cohen	Larson (CT)	Scott (VA)
Connolly	Lawrence	Scott, David
Conyers	Lee	Serrano
Courtney	Levin	Sewell (AL)
Crowley	Lewis	Sherman
Cummings	Lieu, Ted	Sires
Davis (CA)	Lipinski	Slaughter
Davis, Danny	LoBiondo	Smith (WA)
DeFazio	Loebsack	Speier
DeGette	Lofgren	Swalwell (CA)
Delaney	Lowenthal	Takai
DeLauro	Lowey	Takano
DelBene	Lujan Grisham (NM)	Thompson (CA)
DeSaulnier		Thompson (MS)
Deutch	Luján, Ben Ray (NM)	Titus
Doggett		Tonko
Doyle, Michael F.	Lynch	Torres
	Maloney, Carolyn	Tsongas
Duckworth		Van Hollen
Edwards	Maloney, Sean	Vargas
Ellison	Matsui	Veasey
Engel	McCollum	Velázquez
Eshoo	McDermott	Visclosky
Esty	McGovern	Walz
Farr	McNerney	Wasserman Schultz
Fattah	Meeks	
Foster	Meng	Waters, Maxine
Frankel (FL)	Moore	Watson Coleman
Fudge	Moulton	Welch
Gabbard	Murphy (FL)	Wilson (FL)
Gallego	Nadler	Yarmuth

NOT VOTING—7

Cleaver	Hudson	Sinema
Dingell	Payne	
Hinojosa	Pittenger	

□ 1630

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION DAY IN VENEZUELA

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

Ms. ROS-LEHTINEN. Mr. Speaker, last month in Venezuela, the president of the national association of opposition mayors issued a message to the international community—including here in the United States, obviously—stating many of the obstacles being faced leading up to Venezuela's legislative elections, which are scheduled to take place on December 6.

According to their statement, Venezuelan regime employees are obligated and harassed to attend public events to demonstrate support for pro-regime candidates. Socialist Party militants are dispatched to intimidate voters under the guise of assistance. And the Maduro regime is using military forces to keep citizens from voluntarily auditing electoral precincts, as it is stated by law.

As the Maduro regime continues to refuse allowing international monitors, the United States must be even more vigilant of the threat of the fraud before and during election day in Venezuela.

We should also be ready to sanction any regime official who perpetuates human rights violations because of this electoral process.

REPUBLIC OF CHINA NATIONAL DAY AND HO FENG-SHAN

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

Mr. DEUTCH. Mr. Speaker, I rise today to celebrate Taiwan's National Day, or Double Tenth Day, on Saturday, October 10.

Taiwan and the United States have shared a close relationship since passage of the Taiwan Relations Act in 1979. With deep trade ties and close security cooperation between our two countries, Taiwan is going to be an important regional and global actor and friend to the United States.

One famous diplomat from the Republic of China, Mr. Ho Feng-Shan, perfectly embodied the bravery and the heroism of so many in this country. Mr. Ho, consul general in Vienna during Nazi occupation, defied orders from his superiors and issued hundreds of visas to Jews who, without his efforts, would have been forbidden from leaving Austria and would likely have fallen victim to Hitler's plans to exterminate the Jews.

For his selfless and courageous actions, he rightfully earned the title of Righteous Among the Nations from the Yad Vashem Holocaust Museum.

Please join me in celebrating Taiwan's National Day and paying tribute to Mr. Ho's sacrifices and actions.

LIFT CRUDE OIL EXPORT BAN

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

Mr. PAULSEN. Mr. Speaker, with just one change in the law, we could create nearly 400,000 American jobs, potentially help lower gas prices, and