

the Upper Farmington have been managed cooperatively on the local, state and federal level for over a decade. Regrettably, Salmon Brook, a major tributary, and the Lower Farmington that runs 40 miles from Canton to its confluence with the Connecticut River in Windsor do not share the same federal protection. Continued threats to the river's water quality reinforce the urgent need for a collaborative effort to preserve the unique character of both the Upper and Lower Farmington, as well as Salmon Brook, for present and future generations.

The Lower Farmington is a rare natural, cultural and recreational area for the people of the First District and throughout the entire state of Connecticut. The river's free-flowing waters support a rich ecological system and serves as the habitat for diverse fish species, including the American shad and the Atlantic salmon. The River is also home to trout, river otter and bald eagle populations. Since the 1600s, the River has prominently been featured in our state history, from the Tunxis Native American tribes who settled on its shores to the mills and dams that sprung up as part of the Industrial Revolution. Today, people from across Connecticut can enjoy the majestic views of the river along the Farmington River Trail—a former railroad line that when completed will run 26 miles along the shores of the Farmington.

Since 1968, the National Wild and Scenic Rivers System has protected the Nation's most valuable rivers. Through this system, rivers that possess remarkable scenic, recreational, natural, and cultural values are preserved in their free-flowing condition and are protected for the benefit and enjoyment of present and future generations. Designated rivers are afforded the federal protection necessary to maintain their resources and character.

The Lower Farmington River and Salmon Brook Wild and Scenic River Study Act is the first significant step towards designating the Lower Farmington in the National Wild and Scenic Rivers System. I urge my colleagues to join me in ensuring the environmental and historic preservation of these waterways by supporting the underlying bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1344, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING NATIONAL PARK SERVICE TO PAY FOR SUBCONTRACTOR SERVICES COMPLETED AT GRAND CANYON NATIONAL PARK

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3961) to authorize the National Park Service to pay for services ren-

dered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park.

The Clerk read as follows:

H.R. 3961

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

SECTION 1. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) IDIQ.—The term “IDIQ” means an Indefinite Deliver/Indefinite Quantity contract.

(2) PARK.—The term “park” means Grand Canyon National Park.

(3) PGI.—The term “PGI” means Pacific General, Inc.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The park issued approximately 40 task orders to PGI under an IDIQ between fiscal years 2002 and 2003 for a variety of projects.

(2) The value of these task orders was over \$17,000,000 for various construction projects throughout the park.

(3) According to invoices sent to the park, PGI certified that proceeds of payments were being sent to subcontractors and suppliers.

(4) In January 2004, complaints were received by numerous subcontractors citing lack of payments by PGI.

(5) The National Park Service has paid over \$10,000,000 to PGI, of which an estimated \$1,300,000 was owed, but not paid to subcontractors.

(6) During an acquisition management review conducted by the Washington Contracting and Procurement Office of the National Park Service, it was found that the park had failed to ensure that PGI obtained the necessary payment and performance bonds required by the IDIQ and the Miller Act (40 U.S.C. 270a).

(7) On February 6, 2004, the National Park Service suspended further payment to PGI and issued a suspension notice to cease activity by the contractor.

(8) The National Park Service gave PGI every reasonable opportunity to resolve the situation, but PGI has effectively ceased doing business.

(9) Recovery by the Government of that \$1,300,000 is unlikely.

(10) The National Park Service is prohibited from making payments to a contractor without obtaining payment and performance bonds.

(11) Contract law generally prohibits payment directly to subcontractors because of the lack of a direct, contractual relationship between the parties.

(12) The Federal Government has derived benefits from the work that has been completed.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary to pay for services rendered by subcontractors that should have been paid by PGI.

SEC. 3. AUTHORIZATION.

The Secretary is authorized to use \$1,300,000 from the park's entrance fee revenues to pay subcontractors of PGI for work performed at the park under an IDIQ with PGI between fiscal years 2002 and 2003 provided that—

(1) the primary contract between PGI and the National Park Service is terminated;

(2) the amount owed to the subcontractors is verified;

(3) all reasonable legal avenues or recourse have been exhausted by the subcontractors to recoup amounts owed directly from PGI; and

(4) the subcontractors provide a written statement that payment of the amount verified in paragraph (2) represents payment in full by the United States for all work performed at the park under the IDIQ with PGI between fiscal years 2002 and 2003.

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

The Chair recognizes the gentleman from Arizona.

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

Mr. Speaker, H.R. 3961, authored by myself, would authorize the National Park Service to pay up to 38 subcontractors for work they performed at the Grand Canyon National Park during the years 2002 and 2003. To date, these subcontractors still have not been paid a total of \$1.3 million because the primary contractor went out of business. As it turned out, the primary contractor was not bonded, a fact that the National Park Service does not dispute. The Park Service has indicated it has the money and wishes to make the contractors whole, but requires a congressional directive to do so.

I thank the gentleman from New Mexico (Mr. PEARCE) whose perseverance on this issue has allowed us to get to this point today in helping to resolve the issue. I urge adoption of the bill.

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

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, first, I wish to thank the gentleman from Arizona (Mr. RENZI) for his work on this bill. We have no objection to the consideration of this legislation, H.R. 3961, and urge our colleagues to support it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3961.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SOUTHERN NEVADA READINESS CENTER ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4382) to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard.