This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, answered ''present'' 1, not voting 9, as follows:

[Roll No. 405]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Barton (TX)

NOT VOTING—9

DeGette
Hulshof
Hunter
Johnson (GA)
Jones (OH)
McMorris Rodgers
Sali
Shays
Thompson (MS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1339

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GRIJALVA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1100.

The SPEAKER pro tempore (Ms. CLARKE). Is there objection to the request of the gentleman from Arizona?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Madam Speaker, I wish to reserve a point of order on H.R. 1100, and would ask the Chair at what time would be the appropriate time to reserve that point of order.

The SPEAKER pro tempore. Now would be the appropriate time to make the point of order.

POINT OF ORDER

Mr. PRICE of Georgia. Then, Madam Speaker, I rise to reserve a point of order against consideration of H.R. 1100 because I believe that the bill itself fits the definition of an earmark. And I would ask the author of the bill if he might, by way of making my point of order, I would quote rule XXI, clause 9(d), which states the definition for a congressional earmark, and it states, Means a provision or report language included primarily at the request of a Member providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority, or other expenditure, or targeted to a specific State, locality or congressional district, other than through a statutory or administrative formula driven or competitive award process.

And I would be pleased to yield to the author of the bill as to why this bill doesn't fit that definition of an earmark.

The SPEAKER pro tempore. The gentleman may make his point of order, but may not yield.

Mr. PRICE of Georgia. I reserve a point of order then. I make my point of order against the consideration of H.R. 1100.

The SPEAKER pro tempore. The point of order may not be reserved.

Mr. PRICE of Georgia. I make a point of order against consideration of H.R. 1100.

Madam Speaker, I believe I have made my point that this bill indeed fits the definition of a congressional earmark under rule XXI, clause 9(d) and, therefore, violates the rules of the House and, therefore, should not be considered.

The SPEAKER pro tempore. The Chair finds that the entry on page 6 of the report of the Committee on Natural Resources constitutes compliance with clause 9(a) of rule XXI. The point of order is overruled.

CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 429 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. 1100.

□ 1344

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. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, with Mr. PASTOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, H.R. 1100 authorizes a boundary expansion of 115 acres at the Carl Sandburg Home National Historic Site, a unit of the National Park System in western North Carolina. The bill was introduced by my colleague on the Natural Resources Committee, Representative HEATH SHULER, in whose district the Sandburg National Historic Site is located. Representative SHULER has been a strong advocate for the bill, and I commend him for his enthusiasm and the dedication to this important piece of legislation.

The 264-acre Carl Sandburg Home National Historic Site preserves the farm where the two-time Pulitzer Prize-winning author and his family lived for the last 22 years of his life. Carl Sandburg was one of America's most versatile and recognized writers whose stories, histories, and poems captured and recorded America's traditions, struggles, and dreams.

H.R. 1100 authorizes a 115-acre boundary adjustment that is recommended in the historic site's 2003 General Management Plan, a plan developed through a 4-year process that involved extensive public input. The boundary adjustment is necessary to allow construction of a visitor center and a parking lot as well as to protect the pastoral views from the Sandburg estate.

H.R. 1100 authorizes the Secretary of Interior to acquire land from willing sellers only, and I would note that all of the affected landowners have agreed to have their parcels included in the proposal to expand the historic site.

H.R. 1100 is important for the continued protection and operation of this historic site, and it has bipartisan support. At a hearing on the bill last month, the administration testified in support of the legislation, as did a local county commissioner. In the Senate, companion legislation has been sponsored by Senator DOLE and Senator BURR.

During the markup of this bill, the Subcommittee on National Parks, Forests and Public Lands adopted an amendment that made several technical changes and standardized the bill's language. The amended bill was forwarded to the full committee by voice vote. The bill, as amended, was ordered favorably reported to the House by the Natural Resources Committee by voice vote.

Mr. Chairman, H.R. 1100 is a result of a lengthy public planning process. It has extensive and enthusiastic community support, including the support of the landowners involved. It also has the backing of the Bush administration and North Carolina's Republican Senators. Given all this, we have to wonder why there are those who would try to make this, a straightforward bill, controversial.

Mr. Chairman, I would again commend Representative SHULER for his hard work on behalf of this important and worthy legislation, and I strongly urge the passage of H.R. 1100, as amended.

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

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

Mr. Chairman, the headlines in the papers could probably read ''Scramble the Eggs Because We're Bringing Home the Bacon.''

We are going to be leaving for Memorial Day weekend. We will have the ability of standing in front of our constituents, looking them straight in the eye, and saying that one of the last things we did before we went back home was to cast a vote for something that can be described as one of the biggest pieces of pork legislation we have. A contingency from North Carolina, both congressional and senatorial side, come to Washington and they brought something back home. Even though this particular bill does not meet the definition of general welfare as was intended in the Constitution, does not meet a critical need, does not enhance the purpose of a specific park that we have, it does spend money upfront and will yearly require this country to have a larger financial obligation. And it does also tell us that enough votes can deliver anything regardless of the merits.

We intend to show to all those who may be listening that this bill fails on the size, the cost, and the logic of it. We intend to introduce three amendments eventually within this process. One that will say that 5 acres included in this recommendation has logic to it, that we admit that is truly there. There is a need for safe public parking and a visitor center, which is the 5 acres they requested.

We will also present an amendment which will say the first thing we need to do is make sure that we are dealing with the backlog of resource needs that we have. This particular park, according to the National Park Service, has $600,000 worth of construction needs in the regular park itself, which we should be doing before we try any kind of expansion.

We will also be introducing, by Mr. HELLER of Nevada, an amendment that says if this land wishes to be donated, we will accept it.

Had any of these three amendments been adopted in the committee, the committee of jurisdiction, this bill would probably be here as a suspension bill. But when the attitude is it's all or nothing, rejecting any kind of minority input, we will probably object for the logic in this bill. This bill can be jammed through by the numbers but certainly not by the logic.

Mr. Chairman, I realize the chief sponsor is here, and I think it would be only fair to allow him to have the opportunity to speak now in defense of his bill before I go on.

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

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the chairman of the Natural Resources Committee, Mr. RAHALL.

Mr. RAHALL. Mr. Chairman, I certainly want to commend the distinguished chairman of the subcommittee, Mr. GRIJALVA, the respected chairman of the Subcommittee on Parks, Forests and Public Lands, for his efforts in managing the bill on the floor today and bringing this legislation before us.

I, of course, do rise in support of H.R. 1100, introduced by one of our newest colleagues on the Natural Resources Committee, a very respected member of our committee, Representative HEATH SHULER. I commend Mr. SHULER for his work on this legislation as well as his dedication to his constituents, who stand firmly behind this bill to protect and interpret a local resource that has national importance. Some may call it pork. Whatever you want. But the last time I checked, we are the people's House of Representatives. We represent the people that sent us here. And perhaps because Mr. SHULER is doing such an effective job of that, it raises the ire of some in this body. But he has worked diligently to guide this bill through the legislative process. I applaud him for those efforts.

Carl Sandburg was an American poet, a biographer, novelist, and songwriter. Today the farm he owned is preserved as the Carl Sandburg Home National Historic Site, managed by the National Park Service for all Americans to visit and learn about the life and works of one of America's most beloved authors.

During the 22 years Sandburg spent at the farm until his death in 1967, he published more than ten volumes of poetry and prose, including a novel and an autobiography. And it was this farm he returned to after winning his second Pulitzer Prize in 1951.

The pending measure is important to the future protection and interpretation of the Sandburg farm. The 115-acre boundary adjustment will allow for the construction of a much-needed visitor center and parking lot. As important, the boundary adjustment will provide the opportunity to protect the views

from the Sandburg estate that the author and his family cherished and that today's visitors so richly enjoy.

The State of North Carolina's Department of Cultural Resources has recognized the importance of protecting the views from Sandburg's estate by purchasing 22 acres within the proposed boundary expansion area. They intend to donate these acres to the National Park Service upon authorization of the boundary adjustment. All of the other affected landowners have agreed to have their properties included within the proposed boundary adjustment.

This is a straightforward bill, as the chairman of the subcommittee has said. It enjoys bipartisan support, and I urge that it be approved by all of our colleagues on the House floor.

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

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the author and sponsor of the legislation, Congressman SHULER.

Mr. SHULER. Mr. Chairman, Carl Sandburg was a national treasure who spent 20 years of his life in the mountains of western North Carolina. While he was not a native son, we in North Carolina are certainly proud to claim him as one of our own.

His farm is now a National Historic Site visited by thousands of families around the world. This site is important both for its history and its beauty.

H.R. 1100 would revise the boundary of the historic site to add 115 acres. The addition would serve two purposes. The first purpose is to protect the scenic views and open spaces the Sandburg family enjoyed from their home. The second purpose is to allow the site to build a much-needed visitor center and parking area. These additions are part of the site's General Management Plan which was adopted in 2003, after a full public process.

This bill has wide bipartisan support. The administration has testified in support of this bill. North Carolina Senators RICHARD BURR and ELIZABETH DOLE are pushing companion legislation in the Senate. And this is strongly supported by local county government.

I thank Chairman GRIJALVA, Chairman RAHALL, and members of the committee for their support.

Mr. BISHOP of Utah. Mr. Chairman, it is my pleasure to yield 4 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I want to thank my friend from Utah for yielding.

It's quite interesting. I was listening to the rule debate, and the gentleman from New York said that the reason this was being brought up under a rule is to make sure that the process was open and that there were people who had amendments, and I just thought that was quite comical and more of the smoke-and-mirror thing that this majority has put forth.

Mr. Chairman, I rise today in opposition of H.R. 1100. This is a great opportunity for us to realize what an earmark is, whether it is recognized by the Chair as an earmark or not, what real pork is, and what a Federal land grab is.

This is designed to increase the National Park Service's land inventory. This is ironic considering that the National Park Service currently has an overall maintenance backlog for lands it currently owns. In fact, this very site, the Carl Sandburg National Historic Site, already has $600,000 in deferred maintenance cost itself.

The author of the bill said that this was a mission to allow the site. If my understanding is correct, you cannot even see the additional 115 acres from the home site itself. And I don't know if this is going to involve any landscaping or cutting down trees or grading costs or whatever, and maybe Mr. Sandburg did see this, but it must have been on a walk and not from his home.

This was not an original part of the Sandburg estate. And if you read the intent of the legislation when it was done, it was to preserve the farm, not to buy up all the surrounding land.

Mr. Chairman, I hope that my colleagues will understand exactly what this bill is, that they will oppose it and join me in protecting the taxpayers' dollar.

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

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

This bill authorizes the purchase of 115 acres. I have already said 5 acres is legitimate. There is a need for safe parking and a visitor center, and that is the amount of space that they need. It is the other 110 acres which, unfortunately, fits the title of ''pork.''

This park is about Carl Sandburg. It is supposed to venerate his life and his literary legacy. Unfortunately, the extra 110 acres has absolutely nothing to do with his life or literary legacy.

The National Park System said, and some that sit here on the floor, that this land would protect the viewshed. The logical question is what viewshed? The ridge is the natural boundary of this park. The land to be adopted is over the ridge, which means you stand anywhere in that extra 100 acres and you can't see the house from that acreage. You stand at the house and you can't see the acreage unless we give you some complimentary periscopes. Simply, there is no view to deal with.

The county came up here and said, well, this park has evolved, kind of like Jurassic Park, and now we are trying to protect some of the historic pasturelands.

□ 1400

Historic pasturelands? This is about Carl Sandburg. He wrote about Abraham Lincoln. He did not invent Arby's.

They also said during the committee that this is to protect the resources. The resources of this park is the house. You could be on that 100 acres they want to add, and the house could burn to the ground, and you wouldn't know about it until the fire trucks from the town came running by the road to get there. This has nothing to do with preserving and protecting the vast purpose of this particular park. I've got four problems with this bill, this is the first one.

The second one deals with the cost. When we had the hearing in the markup, it was said that this bill would cost between 2- and $3 million. CBO has now scored it at $7 million. They have also said it will incur to the Federal Government an ongoing expense of a half million dollars a year. This park already costs about $1.2 million to run. They bring in about $100,000 to $200,000 worth of revenue a year, so it is a $1 million drag on the Federal Treasury at first. This will add to that, making it a $1.5 million net deficit every year the existence of this park is there.

Now, some people will say, look, it's only 100 acres. We're only talking about $7 million. In the scope of what we do here in the Nation, that's not much. But if you actually spend $7 million here, 2- or $3 million there, pretty soon you realize that we are in a situation where we have squandered all our money, and we don't have anything for those deserving projects that actually are before us.

The National Park Service said this park itself needs $600,000 in maintenance work. It is galling that a park system that is always talking about the need would in any way recommend or that we as a body would adopt that recommendation to try and expand into areas that we are not necessarily dealing with.

I show you this picture right now because it is Dinosaur National Monument. It straddles the border between Utah and Colorado. This is the visitors center. I used to go there. This is exciting. The entire mountain has been scaled back, and you can see the fossil remains of dinosaurs. Unfortunately, this is condemned. No school kid can ever go into this building or see the fossil remains. No Park Service employee can go in there because this is on the backlog of stuff that needs to be done.

Before we buy extraneous territory that adds to something that has nothing to do with the mission of the park, we should solve these types of problems first, because the money we use to buy this land in North Carolina is money that will not be used in real parks, for real needs, for real issues anywhere else in the Nation, in California, in Arizona, in New Mexico, in Maine. None of those will receive that. It is simply a misplaced sense of priority.

Now, this area was represented in the past by a gentleman who used to chair the appropriations subcommittee that dealt with public lands. He could have easily added this kind of money to an appropriations prospect. But having the ability of seeing the overall needs that we have in our forest system, our

parks system, our public lands system, he flat out didn't. He did take, instead of a parochial view, a very patriotic view of the needs of this country, and I am hopeful that we will do that as well.

There is a third area of concern I have, and that deals with community. To be honest, we are dealing with a community that overtaxed its citizens by $5 million last year. They brought in $5 million more than they spent. They have a general reserve fund of $21 million. If this is definitely needed as open space, because it doesn't really fit the park, but any kind of open space, they could easily do that. Or they could do what cash-strapped cities in the West do, which is simply bond for that kind of an approach. Even the idea that 20 acres was given to the State, and that the State will now dedicate that, still presents another problem because that means that forevermore this county will have additional PILT land, and additional PILT money will be going to that, which, once again, cuts into the amount which is a finite supply for all of us that are left.

The fourth reason I have a problem with this bill is simply it's not pork. If this was a significant addition to giving the message of Carl Sandburg, I would not object to it. If this was the 5 acres that is a significant addition for parking, safety and for a visitors center, I would not object to it. But this is simply land that doesn't protect a viewshed, that doesn't have any historical connection with the family. It is land that is simply being gobbled up and will forevermore be subsidized through PILT payments by this body to this county. And when we have these other needs, the question is simply, for what? There is no logic for that.

This is a hard place, I know, to deal with logic; but this is one of those bills that simply defies logic. Mr. Chairman, for that reason I have to oppose this particular bill.

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

Mr. GRIJALVA. Mr. Chairman, as we go into the discussion and the debate on the amendments, let me just remind my colleagues that H.R. 1100 is supported by the Bush administration, State and local governments, citizens, and North Carolina's Republican Senators. I would also note that the 115-acre addition was developed through a 4-year planning process.

And, yes, Carl Sandburg is beloved in North Carolina, but his significance is of national importance. That is why our cosponsors from east coast to west coast are part of this bipartisan legislation.

Mr. Chairman, I would say that the preservation of the Carl Sandburg Home National Historic Site and the enhancement of that site is a national responsibility, and that is why this legislation is important, to extend that national responsibility.

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

The Acting CHAIRMAN (Mr. ROSS). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 1100

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 ''Carl Sandburg Home National Historic Site Boundary Revision Act of 2007''.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) MAP.—The term ''map'' means the map entitled ''Sandburg Center Alternative'' numbered 445/80,017 and dated April 2007.

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

(3) HISTORIC SITE.—The term ''Historic Site'' means Carl Sandburg Home National Historic Site.

SEC. 3. CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY ADJUSTMENT.

(a) ACQUISITION AUTHORITY.—The Secretary may acquire from willing sellers by donation, purchase with donated or appropriated funds, or exchange not more than 110 acres of land, water, or interests in land and water, within the area depicted on the map, to be added to the Historic Site.

(b) VISITOR CENTER.—To preserve the historic character and landscape of the site, the Secretary may also acquire up to five acres for the development of a visitor center and visitor parking area adjacent to or in the general vicinity of the Historic Site.

(c) BOUNDARY REVISION.—Upon acquisition of any land or interest in land under this section, the Secretary shall revise the boundary of the Historic Site to reflect the acquisition.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ADMINISTRATION.—Land added to the Historic Site by this section shall be administered as part of the Historic Site in accordance with applicable laws and regulations.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in House Report 110–165. Each 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 of the amendment; 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. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–165.

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BISHOP of Utah:

Page 2, line 20, after the period insert the following: ''The authority to acquire property under this subsection may not be exercised until all maintenance for the Historic Site deferred as of the day before the date of the enactment of this Act has been completed.''.

The Acting CHAIRMAN. Pursuant to House Resolution 429, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, as I said in the opening remarks, we are going to try to present some amendments that can actually make this into a better bill.

This is the first one in which I want to do which simply deals with the backlog we are talking about.

This amendment requires the Park Service to eliminate its maintenance backlog at this particular national historic site, the Carl Sandburg site, prior to the purchasing of land.

As I said already, there is a $600,000 backlog that the Park Service has said exists already at Carl Sandburg's historic site. According to the Congressional Budget Office, this bill costs $7 million to implement. Those funds must be prioritized on an ''existing needs'' list, which means the Park Service has the discretion to use the $7 million to buy new land before they actually fix the existing buildings that happen to be there.

Overall, the Park Service has a maintenance backlog that's anywhere from $5- to $10 billion. This is not the time to buy more land until we fix the existing problems. Any addition to this park simply exacerbates the problem. And this bill, not only in the overall cost, but also add an additional $500,000 a year on operating costs of this particular park.

So once again, Mr. Chairman, this is the purpose of this particular amendment, to say, fine. What we will do, though, is make sure that what we own and what we are operating and what we are using, which is actually the house, it's about Carl Sandburg, should be properly maintained first before the Park System uses any of this money that may be appropriated or any of their dedicated funds that they may have for that kind of appropriation to expand the park. Fix what we have first.

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

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

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, this amendment is clearly intended to stop the boundary expansion at the Carl Sandburg home historical site from ever happening. It imposes excessive, ill-defined requirements on this historic site, standards that we have never imposed on any other national park or government agency, and that I suspect most of us would never impose

on ourselves. Could you, as a homeowner, certify that all maintenance on your home is ever complete? Isn't there always a light bulb to be changed, a wall to be painted? Would we expect the Department of Defense to certify that maintenance on every piece of equipment in their inventory is complete before allowing them to purchase new equipment? Of course not. So why is the Carl Sandburg Home Historic Site expected to meet that standard?

The minority has had 12 years to do something about the National Park Service maintenance backlog and failed to act, but that failure should not be allowed to hinder the continuing needs of the National Park System.

The new majority in Congress is committed to addressing the past budget shortfalls, while managing and growing the National Park Service responsibly. We can do both, and we must do both.

Further, Mr. BISHOP's amendment requires an unspecified person to determine that all deferred maintenance at Carl Sandburg has been completed, but fails to define not only who makes the determination, but also what the definition of ''deferred maintenance'' is. Therefore, I don't see how a determination can ever be made. Even the Director of the National Park Service herself has testified before the Subcommittee on National Parks, Forests and Public Lands that deferred maintenance is an ongoing process, just like it is for every other Federal agency or a homeowner.

The North Carolina Department of Cultural Resources has already purchased 22 of the 110 acres proposed to be added. They would like to donate these lands to the National Park Service, but Congress must authorize this boundary adjustment first. This amendment would require the State to continue to hold the land indefinitely, something they should not have to do.

Mr. Chairman, this amendment will have no impact on whether the backlog of maintenance on the national parks is managed effectively. Rather, it was simply introduced to kill this boundary addition. I urge defeat of the amendment.

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

Mr. BISHOP of Utah. Mr. Chairman, I think it is one of those things that it's a simple question: Do we expand what we have, buy more stuff to take care of, or do we take care of what we have first? And I have to admit that under Republican leadership we have had huge increases in these budgets; however, the need is still significantly there.

I appreciate the comments that were made by my colleague, the gentleman from Arizona, as to what those deferred maintenance needs may or may not be. Actually, the Park Service has already done that. They have listed out exactly what needs to be done there. In fact, I said $600,000. I was wrong. It's $599,673 worth of specific maintenance that has to be done on this site first. And it just makes sense that we take care of this first before we do any kind of other expansions; otherwise, we are simply not dealing properly with what should be before us.

I appreciate, also, the fact that North Carolina bought the 22 acres, but I would remind you also that they bought it from a group that virtually had the land so it could be kept in open space in the first place, and that as soon as we federalize these acres as well as the other 110 acres, this automatically becomes PILT money available for North Carolina. This is the gift that keeps on giving and the cost that keeps on costing the rest of this Nation.

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

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to my colleague from North Carolina, sponsor of the legislation (Mr. SHULER).

Mr. SHULER. Mr. Chairman, this amendment unfairly targets H.R. 1100.

The gentleman from Utah did not offer this amendment to two similar Republican bills. Had he required H.R. 1080, Mrs. CUBIN's legislation dealing with the Grand Teton National Park, to delay land acquisition until deferred maintenance was completed, it would have cost them $57 million. That is 115 times more in deferred maintenance costs than the Carl Sandburg home.

None of these groups or agencies is required to complete backlog maintenances. That is because the maintenance is never fully completed, and it is an ongoing process.

This amendment fails to define the deferred maintenance, what it is, who will complete it, or in what time frame it is to be completed. It is a weak attempt to stop legislation.

I urge my colleagues to vote ''no'' on this amendment.

Mr. GRIJALVA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

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

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

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

□ 1415

AMENDMENT NO. 2 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–165.

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BISHOP of Utah:

Page 2, line 18, strike ''110'' and insert ''five''.

Page 2, line 18, strike the comma at the end.

Page 2, strike ''within the area depicted on the map,''.

Page 2, line 22, strike ''also'' and all that follows through ''acres'' on line 23 and insert the following: ''use the land, water, or interests in land and water acquired under subsection (a)''.

The Acting CHAIRMAN. Pursuant to House Resolution 429, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this is the amendment that does what I originally said ought to have been done. There has been compelling evidence that there is a need for 5 additional acres to provide for safe parking enhancement and to provide for a visitors center. In addition, in the testimony we had at the hearing, they asked that this acreage not be made mandatory as contiguous to the park itself to leave them the flexibility as far as the planning process.

So what I am asking for this to do is make in order those 5 acres, which I admit is a legitimate request, and it would not include the extra 110 acres that are supposedly for a viewshed protection that no one can see or for a resource that is not related in any way to the purpose of this particular park.

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

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. GRIJALVA. Mr. Chairman, the Bishop amendment arbitrarily slashes the boundary adjustment at the Carl Sandburg Home National Historic Site by 95 percent. This reduction is based on no science, no studies, and would substitute the judgment of a few for those of the many.

The National Park Service has invested 4 years and tens of thousands of dollars in a public planning process to determine the future of this very important historic site. With extensive analysis and public input, a 115-acre boundary adjustment was determined to be necessary to protect park resources and provide for the enjoyment of the public. Mr. BISHOP's amendment simply ignores this, undermining good public policy.

The amendment flies in the face of the wishes of the local community, including the village council and the local county commissioners. It defies the many State and Federal agencies that participated in and supported the outcome of the multiyear planning process. It contradicts the wishes of the Bush administration, who testified in support of this legislation at a hearing just last month. And it goes against the desires of two Senators from North Carolina, both Republicans, I might add, who have sponsored companion legislation in the Senate.

Mr. Chairman, this amendment also flies in the face of the desires of landowners in question who have agreed to have their properties included in the proposed boundary expansion. It virtually guarantees these lands will be developed. The owners would like the opportunity at some future date to sell their property or an easement on their property to the historic site for conservation purposes. If and when these landowners are ready to sell their land, this amendment assures that the Federal Government would not be at the table, but a developer surely will.

Mr. Chairman, the Natural Resources Committee has moved this year Republican-sponsored park expansion bills that have added more than 3,000 acres at a cost of millions of dollars with no amendment of this type offered. Money and expanding parking are clearly not the real issue here. The Bishop amendment has no science, no studies, no local support, and it should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Chairman, this amendment violates the wishes of the residents of Henderson County, their Republican county commissioners, the State of North Carolina, Republican Senators ELIZABETH DOLE and RICHARD BURR and the administration.

Additionally, this amendment flies in the face of the 2003 general management plan that was conducted publicly with wide support. This general management plan included all 115 acres that are in this bill. This amendment would eliminate the ability of the Carl Sandburg Home to protect their viewshed and thus undermine the purpose of this bill.

My bill is not seeking any appropriation or requiring the government to purchase anything. I oppose this amendment, and I urge my colleagues to do the same.

Mr. BISHOP of Utah. Mr. Chairman, I take some umbrage at the claim that this is an arbitrary number that is taken out. In our hearing testimony, it was very clear from both the park as well as the county that 5 acres was what was needed for the parking and the visitors center. That is not a number pulled out of the air. It was specifically for 5 acres. That is why I have continuously used that particular number.

Things have changed, I admit, since the hearing. When we had the hearing, it was said this would totally cost somewhere between $2 million and $3 million. CBO has said today this will cost $7 million and a continuing ongoing fee of $500,000 every year.

I would not be necessarily as opposed to this if indeed donation was the goal. It is unfair to the gentlelady from Wyoming, as well as the bill that deals with a donation of land to the Grand Teton National Park, to compare this with that. That was simply a donation. The total cost is zero. The total expansion of that park is expanding the Grand Teton Park by six ten-thousandths of a percent. This particular bill expands this park 44 percent, and if you divide $7 million by the number of acres, that is something around $64,000 an acre.

That would be a cost that would be there. There is an ongoing cost and an ongoing decision that the United States needs to go into if we are going to make these kinds of decisions.

Like I said, the amendment is straightforward. There is a need for parking. There is a need for the visitors center; 5 acres meets that need. The rest of it is simply not a need, it is not necessary, and we should reject this kind of pork.

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

Mr. GRIJALVA. Just in closing, on the issue of cost, CBO scored this bill as costing $7 million because they included the cost of the future visitors center that was estimated at $3.5 million. Just for the record, I note that both Mr. BISHOP's amendment and Mr. HELLER's amendment allow the $3.5 million to be spent on the visitors center.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. HELLER OF NEVADA

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–165.

Mr. HELLER of Nevada. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HELLER of Nevada:

Page 2, strike lines 15 through 20 and insert the following:

(a) ACQUISITION AUTHORITY.—The Secretary may acquire from willing sellers by donation, purchase with donated funds, or exchange not more than 110 acres of land, water, or interests in land and water, within the area depicted on the map, to be added to the Historic Site.''.

The Acting CHAIRMAN. Pursuant to House Resolution 429, the gentleman from Nevada (Mr. HELLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HELLER of Nevada. Mr. Chairman, in the spirit of my colleague from Utah, I rise today to offer an amendment to H.R. 1100 that will allow for the expansion of the Carl Sandburg Home National Historic Site, provided that it is acquired from willing sellers by donation, purchased with donated funds, or exchange.

As those of us from public land States know all too well, public funding for lands management is insufficient to adequately manage the current Federal estate. Nearly 85 percent of my home State of Nevada is controlled by the Federal Government. In Nevada, we have vast management needs. We need funding for important priorities like the management of wild horses and burros, wildfire mitigation and management, endangered species, and rangeland and habitat restoration, to just name a few. And I know this is the case across much of the West.

We need to be cognizant of the fact that every time we add to the Federal estate, it spreads our already limited resources even thinner. As a result, Mr. Chairman, any additions to the Federal estate must be carefully debated and have demonstrable necessities of Federal protection.

This bill was reported out of committee, Mr. Chairman, with an estimated price tag of $2.25 million. Since that time, as mentioned by my colleague from Utah, the Congressional Budget Office has scored this legislation and determined that the actual price tag is $7 million.

That is no small chunk of change; $7 million can provide energy assistance to over 44,000 North Carolina households living below poverty.

Mr. Chairman, $7 million can go a long way to protect veterans in the Asheville veterans hospital, which has been plagued by shortages of nurses and doctors.

Mr. Chairman, $7 million would buy flu shots for all of the children living below the poverty level in North Carolina's 11th District for 11 years.

And in the context of this debate, that $7 million is desperately needed to manage and maintain the land currently owned by the Federal Government. In fact, some of that money is needed to address the $600,000 in deferred maintenance currently existing at the very site that is proposed for expansion.

Additionally, it is unclear to me why this particular piece of property is vital to the Carl Sandburg story for which the park was created and in dire need of Federal protection.

Mr. Chairman, during subcommittee proceedings we learned that this expansion enjoys support from the community and local governments. I understand the importance of communities and Federal land management agencies working together, and it is in that spirit that I am offering this amendment.

This amendment strikes a balance that will allow for the expansion of the park, but will not take away from the already overburdened budget for public lands management.

Henderson County, which is the home of the Carl Sandburg Home National Historic Site, has determined that they would like to protect the viewshed area. If this is the priority for them, this compromise amendment will give the community the opportunity to show their support by making a financial commitment to purchase this property, with the Federal Government ultimately responsible for management. I believe that local support can

make this compromise I am proposing a reality.

Mr. Chairman, my amendment allows for my colleague's constituents to achieve their goal while protecting the budgets of our Federal land management agencies, who have a difficult time managing the lands they already own.

I urge my colleagues to support this amendment and its wise use of Federal resources.

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

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. GRIJALVA. Mr. Chairman, this amendment is inconsistent and unfair. As I stated earlier, the enhancement and preservation of this site is a national responsibility. This amendment abdicates that responsibility by prohibiting the use of Federal funds to fulfill this role. Strangely, it allows Federal funds to be used for development but requires State and local landowners to shoulder the costs of protecting the historic viewshed.

Philanthropy has and will continue to play an important role in the care of our national parks and is something that we are all thankful and grateful for. A perfect example is the State of North Carolina. Recognizing the importance of protecting the historic viewshed, it has purchased 22 of the 110 acres identified as needing protection and would like to donate them to the National Park Service. The National Park Service will, of course, continue to welcome any donation of land or money to help protect the remainder of this land.

However, it is irresponsible to expect the State to shoulder the total responsibility of purchasing all 110 acres, nor should small landowners have the responsibility to donate their property to the National Park Service. We need to maintain the option to purchase the land from willing sellers, so that when it is on the sale block, the Federal Government's hands are not tied.

The amendment is not about the availability of Federal funds. This is a funding source specifically set aside for Federal acquisitions of land identified as important for conservation. The Land and Water Conservation Fund has a current balance of $16 billion. I would say that is sufficient to allow the possibility of using appropriated funds for this 110-acre addition.

□ 1430

This amendment is also inconsistent. It allows the use of Federal funds to purchase 5 acres for construction of a visitor center, yet does not allow the use of Federal funds to purchase 110 acres of land or easements to protect the historic viewshed.

Finally, this amendment is unfair. Committee Republicans raised no objections nor offered any amendments when the Natural Resources Committee favorably reported a Republican bill that would add more than 3,000 acres to the Jean Lafitte National Historic Park. That bill allows appropriated funds to be used, and the CBO estimate put the cost at up to $5 million. Why should appropriated funds be available for that bill but specifically protected in this bill?

Mr. Chairman, land protection at a national historic site is a national responsibility, as recognized by my Republican colleagues in the Jean Lafitte legislation. The Heller amendment is inconsistent and unfair. I believe Mr. SHULER's predecessor did not recognize the importance of enhancing and protecting this valuable viewshed. We should not penalize the author of this legislation for recognizing it.

Mr. Chairman, I yield 2 minutes to Mr. SHULER for his comments.

Mr. SHULER. Mr. Chairman, while my preference is for as much land to be donated or purchased privately, this amendment would tie the hands of the government if it ever decided to step in and protect the Carl Sandburg home's viewshed.

Mr. HELLER did not offer this amendment to Mrs. CUBIN's bill or Mr. JINDAL's bill in committee, both Republican bills very similar to H.R. 1100.

It is not reasonable to expect all of the land to be donated from small landowners who are currently living on the land. I urge my colleagues to oppose this amendment.

Mr. HELLER of Nevada. Mr. Chairman, I yield 1½ minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, I wish to simply address a couple of the issues that have been brought up again.

In comparing this particular bill to two others, one specifically still held up in the committee, it is true that one bill did have a donation, which is what he is patterning after, so the Grand Teton bill is very similar to this: Willing donor.

The other bill by the gentleman from Louisiana (Mr. JINDAL) is with the Jean Lafitte National Park. This is the ability of coming up with area that is necessary for protecting from the devastation of hurricanes. It is also area coming mainly from State and local lands, not from private owners, and we do not actually oppose the boundary revisions because it makes sense on a case-by-case basis in this particular area, especially when the cost for the land is only $1,000 per acre. It would only increase the size of this particular national site by 15 percent, not the 44 percent as in this one.

Mr. GRIJALVA. Mr. Chairman, I yield back the balance of my time.

Mr. HELLER of Nevada. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. HELLER).

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

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

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

Mr. GRIJALVA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PASTOR) having assumed the chair, Mr. ROSS, Acting Chairman 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. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, had come to no resolution thereon.

URGING AMERICANS AND PEOPLE OF ALL NATIONALITIES TO VISIT THE AMERICAN CEMETERIES, MEMORIALS AND MARKERS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 392) urging Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 392

Whereas the United States has fought in wars outside of its borders to restore freedom and human dignity;

Whereas the United States has spent its national treasure and shed its blood in fighting those wars;

Whereas many of those who died on the battlefield were laid to rest exactly where they fell;

Whereas those plots of ground are now known as American Cemeteries, Memorials and Markers, and they exist in 10 foreign countries on four continents;

Whereas these cemeteries exist as the final resting place for American servicemembers who fought valiantly in battles across the globe, including Ardennes and Flanders, Belgium; Manila, the Philippines; North Africa, Tunisia; Florence, Italy; and Normandy, France;

Whereas each year millions of American and foreign citizens visit the American Cemeteries, Memorials and Markers;

Whereas these overseas sites annually recognize Memorial Day with speeches, a reading of the Memorial Day Proclamation, wreath laying ceremonies, military bands and units, and the decoration of each grave site with the flag of the United States and that of the host country; and

Whereas the splendid commemorative sites inspire patriotism, evoke gratitude, and teach history: Now, therefore, be it

Resolved, That House of Representatives strongly urges Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers abroad, where the spirit of American generosity, sacrifice, and courage are displayed and commemorated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from