

coming to Congress, I have been proud to represent the Tiguas and I have continually fought to lift this requirement.

My Congressional district in El Paso is home to the Tigua Ysleta del Sur Pueblo, the oldest community in Texas. They are one of the three Native American tribes and the only Pueblo tribe in the state. The Tiguas have maintained a significant presence in the El Paso region with tribal enrollment currently over 1,600 citizens. The Tiguas have also been very active participants in the regional business community for almost 40 years. The tribe strives to establish a business-friendly environment while maintaining their culture and traditions. The tribe owns and operates a diverse set of enterprises and corporations that provide employment for both tribal members and the El Paso community.

However, the Tiguas are one of a very few federally-recognized tribes still required by Federal law to use a specified degree of blood quantum to determine membership. If the current 1/8 degree requirement remains in effect, Tigua tribal membership will decline significantly within three generations.

For decades, other tribal governments have used a variety of methods to determine membership. The decision to use a blood quantum requirement has been at the discretion of the tribe as a part of their tribal sovereignty. Tribes have also been able to determine if lineal and collateral descendants of members listed in their base rolls are eligible to be enrolled.

My bill will allow the Tiguas the same opportunity as other recognized tribes to use these methods, and specifically blood quantum levels, to determine membership. With H.R. 5811, individuals removed from the rolls in previous years and others will be able to petition for enrollment. Historically, many of these members would normally have been included as members of the tribe.

This bill is the life blood of the tribe. By modifying the tribal enrollment requirements, the Tiguas will be able to preserve the unique character and traditions of their tribe based on shared history, customs, and language in addition to tribal blood. This bill will ensure their survival as the oldest community in Texas and the only Pueblo still in existence in the State. This bill has passed twice before in the House of Representatives, and I urge my colleagues to support passage of this bill.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 5811, which allows the Ysleta del Sur Pueblo Tribe to determine the blood quantum requirement for membership in their tribe. I thank my colleague, Congressman REYES for introducing this legislation.

This legislation will specifically allow the Ysleta del Sur Pueblo Indian tribe to determine their membership. Native American tribes should be afforded the opportunity to determine the qualifications for membership in their tribes.

Mr. Speaker, as a member of the Native American Caucus, I will continue to work with my colleagues in Congress to address the unique needs of Native Americans.

California is home to over one hundred federally recognized tribes. Earlier this month, I was able to meet with the Pauma Band of Mission Indians. The reservation is located in Pauma Valley, California. The Pauma Band of Mission Indians and others across the nation

should be permitted to determine their requirements to be a member, rather than having to rely on some outside body to make this determination.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 5811.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5811.

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

A motion to reconsider was laid on the table.

CASA GRANDE RUINS NATIONAL MONUMENT BOUNDARY MODIFICATION ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5110) to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5110

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 "Casa Grande Ruins National Monument Boundary Modification Act of 2010".

SEC. 2. DEFINITIONS.

In this Act:

(1) *MAP.*—The term "map" means the map entitled "Proposed Casa Grande Ruins Boundary Modification", numbered 303/100,934, and dated January 2010.

(2) *MONUMENT.*—The term "Monument" means the Casa Grande Ruins National Monument in the State of Arizona.

(3) *SECRETARY.*—The term "Secretary" means the Secretary of the Interior.

(4) *STATE.*—The term "State" means the State of Arizona.

SEC. 3. ACQUISITION AND TRANSFER OF ADMINISTRATIVE JURISDICTION OF LANDS.

(a) *ACQUISITION OF LANDS.*—The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriate funds from willing owners only, the private or State lands or interests in lands generally depicted on the map, to be administered as part of the Monument.

(b) *TRANSFER OF ADMINISTRATIVE JURISDICTION TO NPS.*—The following Federal lands as generally depicted on the map are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws; location, entry, and patent under the mining laws; and operation of the mineral leasing and geothermal leasing laws and mineral materials laws, and administrative jurisdiction of such Federal lands is hereby transferred to the National Park Service to be administered as part of the Monument:

(1) *The approximately 3.8 acres of Federal land administered by the Bureau of Land Management.*

(2) *The approximately 7.41 acres of Federal land administered by the Bureau of Indian Affairs.*

(c) *TRANSFER OF ADMINISTRATIVE JURISDICTION TO BIA.*—Administrative jurisdiction of the approximately 3.5 acres of Federal land administered by the National Park Service as generally depicted on the map as "Lands to be Transferred to BIA" are hereby transferred to the Bureau of Indian Affairs for the purposes of the San Carlos Irrigation Project.

(d) *ADMINISTRATION.*—Upon acquisition or transfer of the lands identified in subsections (a) and (b), the Secretary shall administer those lands as part of the Monument in accordance with the laws generally applicable to units of the National Park System, including—

(1) *the National Park Service Organic Act (16 U.S.C. 1 et seq.); and*

(2) *the Act of August 21, 1935 (16 U.S.C. 461 et seq.).*

(e) *BOUNDARY AND MAP UPDATE.*—

(1) *TRANSFERS.*—Upon completion of the transfers pursuant to subsection (b), the Secretary shall modify the boundary of the Monument accordingly, and shall update the map to reflect such transfers.

(2) *ACQUISITIONS.*—Upon completion of any of the acquisitions pursuant to subsection (a), the Secretary shall modify the boundary of the Monument accordingly, and shall update the map to reflect such acquisitions.

(f) *MAP ON FILE.*—The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.

SEC. 4. ADMINISTRATION OF STATE TRUST LANDS.

The Secretary may enter in to an agreement with the State to provide for cooperative management of the approximately 200 acres of State trust lands generally depicted on the map.

SEC. 5. BOUNDARY STUDY.

(a) *IN GENERAL.*—The Secretary shall conduct a study to identify any additional lands that the Secretary considers appropriate to be a part of any future adjustments to the boundary of the Monument.

(b) *CRITERIA.*—The study shall examine the natural, cultural, recreational, and scenic values and characteristics of the lands identified under subsection (a).

(c) *REPORT.*—Not later than 3 years after the date funds are made available for the study under this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 5110 would add 415 acres to Casa Grande Ruins National Monument located south of Phoenix, Arizona.

Currently, the 472-acre monument represents only part of the historic Native American community that once existed in that area. A 2003 National

Park Service report identified seven parcels for potential addition to this monument.

H.R. 5110 authorizes the acquisition of three properties "by donation, exchange, or purchase with donated or appropriated funds from willing owners only."

Mr. Speaker, H.R. 5110 is a good bill. Representative ANN KIRKPATRICK has worked hard to bring it to the floor, and I urge the House to approve it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many things in my view that are wrong with this bill, but I just want to point out three of them. First, this bill represents wasteful and unnecessary spending at a time of exploding Federal debt. Second, it lacks needed protection for private property rights. Third, it expands the already bloated Federal Government at a time when our priority should be on jobs and economic growth, not the growth of government.

It shouldn't be necessary to point out that at a time of near double-digit unemployment and trillion-dollar debt, we really ought to be working to unleash private-sector economic growth so more Americans can find jobs, can pay their mortgages, and provide for a better life for their families. Instead, as usual, with the current Democrat leadership, we are talking about borrowing more money from foreign countries to pass a bill to further aggrandize the Federal estate.

The National Park Service estimates that it would cost \$10 million to buy the land targeted in this bill. Now this isn't beachfront property in the Virgin Islands like we saw targeted earlier in this Congress. Instead, it is in the Arizona desert. But we are hearing the same argument why we should go along with this.

Are these private lands in danger of being injured by development? Hardly. It seems some of the land may be owned by the State or a wealthy non-profit presumably created to protect the land from development. There is no urgent need to borrow money to buy this land right now. No one can claim that these lands are in imminent danger.

Further, this legislation does not protect the rights of private property owners. Instead it continues the disturbing practice of Congress drawing boundaries of Federal land management areas around private property, even in cases where the landowners have not given their written approval.

When Congress expands Federal boundaries to encircle private property, we sometimes shower ourselves in praise for protecting private property from the dreaded private property owner. But Congress should only draw boundaries around lands the Federal Government already owns, not around what it wants to own.

I know the bill purports to protect private property, but it does nothing,

Mr. Speaker, and this is important, it does nothing to restrain the eminent domain authority already possessed by the Secretary of the Interior according to both Federal case law and the Congressional Research Service. This bill expands an area previously designated under the Antiquities Act. As the Committee on Natural Resources learned from recently leaked Department of the Interior documents, this administration is strongly interested in creating new national monuments or expanding existing ones, and doing so with or without Congress.

The American people are way ahead of Washington on these issues, Mr. Speaker. They know that what we should be doing is controlling spending, protecting private property, taking better care of the land we already own, and reducing the dead weight of taxation and Federal bureaucracy that is stifling free enterprise, which is the engine of economic growth.

□ 1440

With that being said, there are parts of this bill that I could support, such as clearing up administrative jurisdiction issues and a boundary modification to remedy trespassing issues for an irrigation project. However, I am sorry that these sections, which had broad support, weren't allowed to stand on their own.

So for those reasons I've cited, I urge a "no" vote on H.R. 5110.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as she may consume to the sponsor of this important piece of legislation, the gentlewoman from Arizona, Representative ANN KIRKPATRICK.

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of my legislation, H.R. 5110, the Casa Grande Ruins National Monument Boundary Modification Act.

In Coolidge, Arizona, we have the largest prehistoric structure in the Nation—the Casa Grande Ruins National Monument. Throughout Coolidge and the nearby city of Florence, there is evidence of prehistoric structures—homes, irrigation canals and potential recreational facilities.

Each year, thousands of visitors come to Pinal County to visit the ruins, to learn about the ancient Hohokam culture that lived there, and to see the amazing prehistoric architecture they left behind. Protecting more of these sensitive areas will allow further development of tourism to the area, and it will help fulfill the mission of the monument.

The legislation under consideration today does two things. First, it allows an expansion of the boundary of the monument to include land nearby, which will greatly enhance the existing site. Second, it provides for a study to determine what additional sites in Coolidge and Florence could be incorporated in the future.

This bill is critical to the economic development of Coolidge and Florence

and of the entire county. It is critical for the preservation of cultural and historical sites, which is unequaled anywhere else on the continent. It is the kind of low-cost, job-creating project we need in Arizona.

Mr. Speaker, since I have been in Congress, I have been the voice of fiscal discipline, and I have been looking for low-cost, job-creating projects. This is one of them. This project would create hundreds of jobs in an area where it does have double-digit unemployment. Talk about double-digit unemployment—that's in my district. That is what this is going to address. This is a low-cost jobs project.

Let me tell you that this is exactly why the American people right now are so angry and frustrated. It is why I am angry and frustrated, and it is why you are angry and frustrated. It is because Washington is not listening to the local people. The people of Coolidge and Florence have worked on this project for years. It is not about partisanship. They have come together as local community leaders and as private businesses to support this job-creation project. It makes common sense. Yet, once again, Washington is not going to listen to the voices of the American people. Once again, Washington is going to impose its partisan bickering to stop jobs and to not listen to the American people. That is what is wrong with Washington.

I urge my colleagues to vote "yes" on this critical legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that it is not in order to address occupants of the gallery.

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

Mr. Speaker, I am sorry the gentlewoman from Arizona did not yield to me so I could ask her a question as we have heard a great deal of talk here on the floor about jobs creation. I am certainly one who believes that we need to create jobs, particularly in the private sector, because the private sector is the engine of growth in our country.

I was simply going to ask the gentlewoman if she could document officially how many jobs have been created. The reason, Mr. Speaker, is that this existing area is already some 1,600 acres. To suggest that an area which is 1,600 acres is not creating jobs but that adding some 400-plus acres would create jobs flies in the face of common sense.

What this bill is all about, once again, is the Federal Government's buying more land when we have a backlog of some \$9 billion of maintenance in this country. Yet here we are, trying to add more land, which presumably adds more to the backlog. The American people get it. They understand it. While this is small, I understand, Mr. Speaker, it is the reason I think this bill is ill-advised today. I urge my colleagues to vote "no."

I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I also want to commend Congresswoman KIRKPATRICK for her leadership in preserving the culture, history and artifacts of this important area.

Just like Castle Nugent, enacting this bill spends no money and acquires no land—none. What it does is puts in place the authority necessary to acquire these invaluable pieces of our ancient past if and when the time is right and the money is available. Given the value of the resources involved, this should be an easy decision. It would be a shame if political gamesmanship and partisan bickering allowed these pieces of our past, the jobs that would be created, and the hard work of the people of this part of Arizona to be lost forever.

I ask my colleagues to vote “yes” on this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5110, as amended.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SEDONA-RED ROCK NATIONAL SCENIC AREA ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4823) to establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4823

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 “Sedona-Red Rock National Scenic Area Act of 2010”.

SEC. 2. SEDONA-RED ROCK NATIONAL SCENIC AREA, COCONINO NATIONAL FOREST, ARIZONA.

(a) **ESTABLISHMENT.**—*There is established in the Coconino National Forest, Arizona, the Sedona-Red Rock National Scenic Area (in this section referred to as the “Scenic Area”) for the purposes of—*

(1) *limiting exchanges of land involving National Forest System land included in the Scenic Area; and*

(2) *managing the National Forest System land included in the Scenic Area as provided in the land and resource management plan for the Coconino National Forest.*

(b) **BOUNDARIES.**—*The Scenic Area shall consist of approximately 160,000 acres of National Forest System land in the Coconino National*

Forest, as generally depicted on the map entitled “Sedona-Red Rocks National Scenic Area” and dated June 7, 2010. The Scenic Area shall not include any land located outside the boundaries of the Coconino National Forest.

(c) **MAP AND BOUNDARY DESCRIPTION.**—*As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file a map and boundary description of the Scenic Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The map and boundary description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and description. The map and boundary description shall be on file and available for public inspection in the Office of the Chief of the Forest Service.*

(d) **ADMINISTRATION.**—*The Secretary of Agriculture shall administer the Scenic Area in accordance with this Act, the land and resource management plan for the Coconino National Forest (including any subsequent amendment or revision of the plan), and the laws and regulations generally applicable to the National Forest System. In the event of conflict between this Act and such other laws and regulations, this Act shall take precedence.*

(e) **RESTRICTION ON SCENIC AREA LAND EXCHANGES.**—*With regard to acquisitions of land for public purposes, land exchanges that dispose of National Forest System land included in the Scenic Area may occur only if—*

(1) *the exchange results in the acquisition of land within the boundaries of the Scenic Area from a willing seller for inclusion in the Scenic Area;*

(2) *there is no net loss of National Forest System land within the boundaries of the Scenic Area; and*

(3) *an environmental analysis in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and consistent with the applicable forest plan amendment is completed before any land exchange within the boundaries of the Scenic Area.*

(f) **DEPOSIT OF CONSIDERATION FROM CERTAIN LAND SALES; USE.**—

(1) **DEPOSIT OF PROCEEDS.**—*Moneys received by the Secretary of Agriculture from the sale or exchange of land located in the Coconino National Forest shall be deposited in the fund established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a).*

(2) **USE OF FUNDS.**—*Notwithstanding the limitations on the use of moneys deposited in the fund established by Public Law 90-171, moneys deposited under paragraph (1) shall be available for use by the Secretary of Agriculture, without further appropriation and until expended, for the acquisition of land or interests in land within the National Forest System in Arizona.*

(g) **NO EFFECT ON SURROUNDING LAND, ROADS, OR EASEMENTS.**—*The establishment of the Scenic Area does not affect—*

(1) *the maintenance or use of public, private, or Forest Service roads within the Scenic Area;*

(2) *the legal status, maintenance, or use of rights-of-way and utility easements within the Scenic Area;*

(3) *the management of State, municipal, or private land located in the vicinity of or within the boundaries of the Scenic Area;*

(4) *the management of National Forest System land that is not included in the Scenic Area; or*

(5) *the construction or siting of transportation projects or water projects (and associated facilities) within the Scenic Area or in areas outside the Scenic Area.*

(h) **NO CAUSE OF ACTION.**—*Nothing in this Act creates a private cause of action in any Federal, state or tribal court.*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN)

and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. I yield myself such time as I may consume.

Mr. Speaker, H.R. 4823, introduced by Congresswoman ANN KIRKPATRICK, would authorize the establishment of the Sedona-Red Rock National Scenic Area in the Coconino National Forest in northern Arizona.

This legislation would protect approximately 160,000 acres by restricting land exchanges within the scenic area and by managing the land within the scenic area for conservation purposes. The bill specifically provides that the establishment of the national scenic area shall not impact surrounding land, roads or easements nor will it impact utility easements, the management of State, municipal or private land or the management of surrounding national forest land.

Mr. Speaker, 4823 is a good bill. Representative KIRKPATRICK has worked diligently with residents, officials, and business owners to craft this legislation, making it widely popular in the community of Sedona.

I urge Members to support H.R. 4823. I reserve the balance of my time.

□ 1450

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have concerns about how this “National Scenic Area” designation will affect the safety, welfare, and economic livelihoods of those who live and work within this 160,000-acre proposal.

Mr. Speaker, there is no underlying act for national scenic areas, as is the case for wilderness proposals and wild and scenic river designations. Instead, unless guidelines are set limiting how restrictive the designation will be, a National Scenic Area designation is accompanied by only hope and uncertainty.

H.R. 4823 is silent on everything but the fact that land exchanges are prohibited. This sort of vague and open-ended delegation of authority is an invitation to litigation and bureaucratic overreach. So for that reason, Mr. Speaker, I cannot support this legislation in its current form.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona, Representative KIRKPATRICK.