The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FITZPATRICK) having assumed the chair, Mr. HURT, 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. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2587, PROTECTING JOBS FROM GOVERNMENT INTERFERENCE ACT

Mr. SCOTT of South Carolina, from the Committee on Rules, submitted a privileged report (Rept. No. 112–183) on the resolution (H. Res. 372) providing for consideration of the bill (H.R. 2587) to prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 363 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2584.

□ 2037

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 further consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. HURT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Washington (Mr. DICKS) was pending, and the bill had been read through page 9, line 12.

Mr. LANGEVIN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, I rise to support the amendment introduced by my friend and colleague, Ranking Member DICKS, and in opposition to the broader FY 2012 Interior appropriations bill. This bipartisan amendment, I believe, is critical to restoring the long-time commitment to protecting our most threatened species from extinction.

The gentleman from Virginia is absolutely correct that so many of these species our planet actually depends on, and it is a symbiotic relationship that protects our environment.

The language in the underlying bill to prevent any funds from being used to list new species under the Endangered Species Act, I believe, is short-sighted and only serves to punish a successful program for preserving critical habitats. And this language is just one example of the extremely harmful policies included in this bill.

On the broader bill itself, and how it fails to help our economy and create jobs, I want to mention that in my home State of Rhode Island, our unemployment rate right now continues to be the third-highest in the Nation, at 10.8 percent. Right now we need investment in our infrastructure and in our resources to create jobs and modernize our communities.

New England is home to some of the oldest infrastructure in the Nation, and it is estimated that our drinking water infrastructure needs will cost over $400 million over the next 20 years, and that our State has $1.16 billion in unmet wastewater needs. But instead of addressing these needs by investing in our communities and creating new jobs, this bill slashes both the Clean Water and Drinking Water State Revolving Funds by 55 and 14 percent, respectively, below last year's levels.

In this time of complex and contentious debates about our debt and future fiscal security, I constantly hear my colleagues talk about the burden our actions will place on the next generation. Yet this bill would repeal and block implementation of two of the most important laws that keep our environment safe, the Clean Water and Clean Air Act.

Now, what chance are we giving our children to grow up and flourish if we can't protect the rivers and bays that they swim in and the water that they drink?

I'm also very disappointed that this bill blocks the EPA from finalizing a rule reducing emissions of mercury from power plants. Now, last week, Members were down here on the floor speaking about the tiny amount of mercury in light bulbs. Yet, today these same Members are blocking a rule that would keep our fisheries healthy and safe for consumption, in addition to preventing 17,000 premature deaths each year.

I don't understand how my colleagues on the other side of the aisle can be opposed to a small amount of mercury last week, yet today seemingly have no problem, no problem with much larger quantities of the same substance, but it being allowed to endanger public health.

Now, lastly, I urge my colleagues to fight against the nearly 80 percent cut in the Land and Water Conservation Fund, the lowest amount in its 45-year history. As many of us are well aware, hunting, fishing, camping, and other outdoor recreation activities are a great benefit to our economy, bringing in a total of $730 billion each year and supporting 6.5 million jobs.

□ 2040

These numbers bear out when you look at my home State of Rhode Island. Each year, 163,000 sportsmen and 436,000 wildlife watchers combine to spend $381 million on wildlife-associated recreation in Rhode Island. We have incredible national wildlife refuges, which have been protected with LWCF funding, and which offer families in my district an opportunity to enjoy beautiful parks, trails, and open spaces at no cost during these tough economic times.

Mr. Chairman, I don't believe that this bill reflects our values or our shared desire to preserve our beautiful Nation. I believe we can and we ought to do better for our constituents and for our children. I urge my colleagues to reject this bill and to bring a bill to the floor that preserves our environment, creates new jobs, and protects our commitment to future generations.

Mr. DICKS. Will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman from Washington.

Mr. DICKS. I just want to commend the gentleman for his statement. It's an outstanding statement. You covered this very comprehensively, especially the part about infrastructure. There was a $688 billion wastewater backlog during the Bush administration. We should be putting people to work on those kinds of projects. The gentleman is absolutely right, and I appreciate him being here late in the evening to support my amendment.

Mr. LANGEVIN. I thank the ranking member. I want to commend the gentleman for sponsoring this amendment and for his work on the broader bill. This is the right thing to do, to defeat the broader bill here and bring a bill to the floor that really reflects our values.

Again, I thank the gentleman from Washington State for offering this amendment.

I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

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

Mr. CONAWAY. Mr. Chairman, as has been spoken earlier, the Endangered Species Act is broken. What began as a tool to help scientists protect vulnerable populations of endangered animals and plants has metastasized into an economic straitjacket from which there is no relief.

To illustrate my point, I would like to share the stories of two species that make their home in west Texas: the Concho water snake and the dune sagebrush lizard.

The Concho water snake was first listed as threatened on September 3, 1986. Since that time, the citizens of

Texas have spent millions of dollars complying with Federal mandates, performing surveys, and generally advancing knowledge of the snake's biology far beyond that which existed when the snake was first listed in 1986. Today, there is little question that the snake's population is stable and exists in far greater numbers than during the original listing.

Because of this research, the service proposed delisting the snake on July 8, 2008. This delisting should be a victory for the service and the supporters of the Endangered Species Act. Instead, it has collapsed into a maddening, saddening caricature of endless government bureaucracy.

During a federally mandated 10-year study of the snake, researchers caught and released 9,000 individual snakes. The data collected was the basis for the Texas Parks and Wildlife Commission's decision to remove the snake from their threatened species list in August 2000. At that time, Fish and Wildlife declined to delist the species, instead requesting an additional population viability study to be conducted, with, of course, updated data.

Eight years later, in July of '08, the service finally issued a formal delisting proposal after what must have been an exhaustive, thorough, and detailed review of all of the best available science. Unfortunately, as of today, the service still has not completed action on its own proposal. Today, to the best of my knowledge, the final delisting rule is hung up somewhere with the lawyers in the solicitor's office of Fish and Wildlife.

It is inexcusable that this snake persists on the endangered species list. Its continued inclusion on the list represents a significant commitment of Federal, State, and local tax dollars. At a time when our financial commitments are under a strain at every level of government, dollars are wasted because of the failure of Fish and Wildlife to make a final decision on their own recommendation.

But beyond the dollars wasted while protecting a species that the service supports delisting, I'm more concerned about the long-term impact this nondecision has on the public's trust in our Federal Government. By proposing and then failing to delist a species, the service is undermining the very reputation it relies on when it hands down drastic and painful mandates sometimes needed to protect a species on the brink of extinction. The dunes sagebrush lizard is just one such species whose protection will require the service to demand significant and costly compliance measures from the landowners and communities where this lizard exists.

Unfortunately, it's also a species that has a paltry amount of science behind the support of its listing. In Texas, there are but a handful of places that anyone has looked for the lizard, and the service is unable to answer basic questions as to how many lizards exist today or how many are needed to support a viable population of these lizards.

This might not stir up much trouble, except that the dune sagebrush lizard lives above one of the most productive oil and gas producing basins in the lower 48. Its inclusion on the endangered species list would dramatically curtail oil and gas exploration across this vast patch of the Permian Basin until the Fish and Wildlife Service decides on how best to proceed several years from now.

The oil produced on this land provides the livelihood for hundreds of thousands of Texas families, millions of dollars of support for Texas university and public school students and, most important, is used as energy by millions of Americans. The Fish and Wildlife Service has proposed closing this land to development based on too little science and too little concern for the economic consequences.

I believe that the interminable delay in delisting the Concho water snake and the paltry science behind listing of the dune sagebrush lizard is damaging the service's credibility as an honest steward of the powers its agents are entrusted with. Fair or not, the Endangered Species Act as implemented by Fish and Wildlife is viewed in my district as little more than a cudgel to beat up disfavored industries, in large part because the science is often shoddy, species are rarely delisted, and the mandates continue in perpetuity. I support the underlying legislation today because I believe it is the best short-term chance to correct the imbalance in the implementation of the Endangered Species Act.

The underlying legislation will allow the Fish and Wildlife Service one full year to clear out its backlog of Concho water snakes across this Nation. Free from new listing requirements, the service can focus on the recoveries of the species that are under its care and better managing the charges it already has. I hope that the service takes this year off to pay particular attention to the dune sagebrush lizard and work to understand this animal better before it moves to close down thousands of well sites across west Texas while the resulting energy prices are crushing our constituents.

Mr. Chairman, I oppose the gentleman's amendment because the amendment locks in the failed status quo for another year and offers communities around this country like mine no relief from the arbitrary mandates in the Endangered Species Act.

I yield back the balance of my time.

Mr. SABLAN. I move to strike the last word.

The Acting CHAIR. The gentleman from the Northern Mariana Islands is recognized for 5 minutes.

Mr. SABLAN. Mr. Chairman, I rise to express deep concern over the allocations in H.R. 2584, the Interior and Environment appropriations bill for 2012.

To begin, the bill cuts $1.7 million for technical assistance and maintenance assistance in the United States territories. These small amounts of money pay big dividends in the islands. The Northern Marianas was just awarded $1.2 million in technical assistance funding to develop geothermal resources to generate electricity. We pay up to 40 cents per kilowatt-hour now because we have to buy expensive foreign oil to power our generators. Technical assistance funds are helping to develop our own domestic energy resources; and cutting these funds sends us in the wrong direction, back into the arms of foreign oil interests.

I do appreciate the small increases in the bill to fund water and sewer projects in the Northern Mariana Islands and the other territories. I am disappointed, however, that the bill targets the Environmental Protection Agency for overall cuts in the funding that provides Federal assistance to ensure clean air and water for all Americans.

As the ranking member of the Fisheries, Wildlife, Oceans and Insular Affairs Subcommittee, which has jurisdiction over the U.S. Fish and Wildlife Service, I am also troubled over the allocations in this bill which would be devastating for the environment and for the preservation of America's natural heritage. H.R. 2584 provides inadequate funding for the Fish and Wildlife Service at levels 21 percent below fiscal year 2011 and 30 percent below the President's fiscal year 2012 request.

The bill cuts provide a meager $22 million in funding for the State and tribal wildlife grants program, 64 percent below fiscal year 2011, and 77 percent below the fiscal year 2012 President's request. This is a program that makes small investments now to avoid large expenses later. It provides money to States and tribes to take voluntary conservation actions to stabilize declining fish and wildlife populations now, and this helps avoid endangered species listings later. In my district, these grants help implement our wildlife action plan, conserving wildlife and, I might add, creating jobs.

The bill also cuts the Fish and Wildlife Service's cooperative landscape conservation and adaptive science program 35 percent below the fiscal year 2011 levels and 47 percent below the fiscal year 2012 President's budget. This program supports the work of Federal, State, tribal, and local partners to develop strategies to address climate impacts on wildlife on local and regional scales.

□ 2050

The Northern Mariana Islands and other insular areas are on the front line of climate change. We face the impacts of sea level rise, ocean acidification, and increasing typhoon intensity. We need this program to develop science-based tools and solutions to conserve natural resources and help us adapt to the many negative effects coming at us as the Earth grows hotter. H.R. 2584 also cuts funding for the

National Wildlife Refuge System to 7 percent below fiscal year 2011 and 9 percent below the 2012 request.

The National Wildlife Refuge System is the world's finest network of protected lands and waters. We have refuges in every State and in nearly every territory, including the Northern Mariana Islands. These refuges conserve our fish and wildlife resources, but they also have a huge economic benefit. Millions of people visit refuges each year to hunt, fish, and observe wildlife. The refuge system generates $1.7 billion in sales for local communities and creates nearly 27,000 jobs annually. Every dollar spent in the refuge system by the Federal Government returns about $4 to local communities, and we can assume that every dollar we cut means $4 less for our local communities.

I have introduced legislation, H.R. 2236, that would generate funds for the refuges separate from the appropriations through the sale of semipostal stamps to address operations and maintenance backlog, but this is no substitute for money being cut in H.R. 2584.

Also cut is the Land and Water Conservation Fund, which is used to acquire lands and conservation easements from willing sellers and landowners to provide operational efficiencies and connectivity within the refuges.

At a Fisheries, Wildlife, Oceans and Insular Affairs Subcommittee hearing this year, we heard from stakeholders as diverse as Defenders of Wildlife and the National Rifle Association who recognize the importance of the Land and Water Conservation Fund, which, I might add, is generated by offshore oil and gas drilling revenues. H.R. 2584 provides only $15 million to this program, 73 percent below fiscal year 2011 levels and 89 percent below the fiscal year 2012 President's request.

I strongly oppose H.R. 2584, which rolls back necessary funding to support hunters, fishermen, recreationists, and local communities who depend on the environment for their livelihoods and which undermines ongoing conservation, public health, and environmental protection for all Americans.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FITZPATRICK. Mr. Chairman, I move to strike the last word.

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

Mr. FITZPATRICK. Mr. Chairman, I rise today in support of this amendment, which I have cosponsored, that would remove a rider from this bill that would seriously compromise the effectiveness of the landmark Endangered Species Act, which was signed into law almost 40 years ago in 1973.

The extinction rider in this bill is a sweeping action that will prevent the Fish and Wildlife Service from spending any money on listing new plants and animals under the Endangered Species Act, designating critical habitat, or upgrading species from threatened to endangered. At the same time, the bill maintains funding for delisting species, creating an incomplete and lopsided endangered species policy.

Mr. Chairman, my constituents in Bucks County, Pennsylvania, and the American people support the important mission of the ESA, and it's not hard to see why. Preserving animals and plants brings countless benefits to people, and a loss of a species can have dangerous and expensive consequences in the future. For example, the U.S. Geological Survey recently estimated that the loss of bats in North America would cost agricultural producers nearly $4 billion per year, including those in my district. We also never know which species of plants and animals may be important in developing lifesaving medicines in the future.

But the ESA's primary success to date has been to prevent the extinction of hundreds of species, including the American alligator, grizzly bear, and gray wolf. Indeed, less than two dozen species have gone extinct under the act, and most of these species were already doomed to extinction by the time they were listed.

Perhaps the most iconic among these species saved by the act is our national symbol, the bald eagle. On June 20, 1782, our Founding Fathers adopted the bald eagle as our national emblem. On the backs of many of our coins we see an eagle with outspread wings. On the Great Seal of the United States, on the seal of this very House of Representatives, and in many places which are exponents of our Nation's authority, we see the same emblem.

Living as it does on the tops of lofty mountains and in river valleys as close as the Potomac, the eagle represents freedom. However, by the mid-20th century, the bald eagle was severely threatened and reduced to just 400 nesting pairs. Bald eagles were declared an endangered species in 1967 in the lower 48 States under a less cohesive, less effective act. Then the ESA was signed into law. As a result of this, on July 4, 1976, the U.S. Fish and Wildlife Service officially listed the bald eagle as a national endangered species. And thanks to the Endangered Species Act, the Fish and Wildlife Service upgraded the bald eagle to threatened status in the lower 48 States in 1995 and officially removed it from the nationwide list in 2007. Today, after decades of conservation effort, the Interior Department reports that there are some 10,000 nesting pairs for us and for future generations to cherish. Because, in large part, of the ESA, my children have had the chance to see a bald eagle in its natural habitat.

This amendment will remove the funding restriction on the listing and limit the funding to what has been spent on these activities in recent years. Additionally, the overall funding amount for the ESA and related programs of $138 million is significantly less than in past years, including in fiscal year 2008.

Mr. Chairman, decisions about wildlife management should be made by scientists, not by politicians. Preventing listing is not the answer. We must allow the U.S. Fish and Wildlife Service to do their job and protect species while making improvements to increase the efficiency of this crucial program.

As I close, I implore my colleagues to imagine if the U.S. Fish and Wildlife Service had been restricted from listing the American bald eagle. This majestic creature, without corrective measures, would have been lost only to books and to our national memory.

We have a responsibility to prevent the extinction of fish, plants, and wildlife because once they're gone, they're gone forever and we can't bring them back.

I urge support for this amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Washington.

Mr. DICKS. I just want to commend the gentleman for an incredibly comprehensive, thoughtful, and credible presentation.

You mentioned the bald eagle. Just a few weeks ago, my grandchildren were out at Hood Canal, where I live, and on the beach three bald eagles came down and landed. It was one of the most remarkable things I have ever seen. And I just want to thank the gentleman for his support, his cosponsorship of this amendment. And I appreciate your credibility and your forthrightness.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I just want to say, because the gentleman made a very good remark, but since we're talking about bald eagles, in our State they're around, and I would invite the gentleman to come to where I live in the desert in central Washington where every fall and winter we see bald eagles. They are truly a majestic bird.

But the point is, again—and I really thank the gentleman for yielding—this debate is not about the Endangered Species Act. This debate here is about trying to get people together so we can make the Endangered Species Act work in a way that will be beneficial to everybody, so that we can repeat the successes that we have had, albeit the successes are only 20 species; but, nevertheless, we ought to be working that way rather than restricting and having restrictions as the current act is.

Mr. FITZPATRICK. I appreciate the gentleman's remarks. I appreciate the invitation. And the way to amend the act is in regular order, not in appropriation.

The Acting CHAIR. The time of the gentleman has expired.

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr.

FITZPATRICK was allowed to proceed for 30 additional seconds.)

Mr. FITZPATRICK. I appreciate the invitation, but the way to amend the act is in regular order in the committee, not necessarily through the appropriations process.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. As I mentioned in my remarks when I spoke, that certainly is the intent of the committee that I chair that has jurisdiction.

The Acting CHAIR. The time of the gentleman has again expired.

□ 2100

Mr. THOMPSON of California. Mr. Chairman, I move to strike the last word.

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

Mr. THOMPSON of California. Mr. Chairman, the amendment before us today corrects a terrible flaw in the underlying bill, a provision that prohibits the endangered species from being listed as endangered. This provision is so bad that it would be funny but for the dangerous effect it would have on imperiled species on the brink of extinction and struggling to survive.

The previous speaker was eloquent in his discussion about the bald eagle. Let's think about what would have happened had this measure been law 44 years ago. The American bald eagle, our national bird and symbol, would be gone. In the 1960s, there were less than 450 nesting pairs of bald eagles. But thanks to the Endangered Species Act, this national symbol was removed from the endangered species list in 2007. And now there are nearly 10,000 nesting pair of bald eagles.

Maybe some of my colleagues side with those who wanted our national bird to be a turkey. But I think I speak for most Americans when I say that I am proud that we saved this national treasure, the American bald eagle, from extinction.

Had this rider been the law of the land in 1979, the American alligator would most likely be gone. But because of the ESA protections, the American alligator population has grown to more than 2 million and continues to thrive, helping local economies throughout the southeast.

The Aleutian goose is another example of the success of the Endangered Species Act. Back in 1967, there were no more than a few hundred of these birds. But thanks to the ESA, the Aleutian goose was fully recovered and successfully delisted in 2001, with a population of more than 100,000 birds in 2008. So successful was the ESA recovery effort that the Aleutian goose is not only thriving, but also being hunted in my district. Just this past hunting season alone, 1,700 acres of land were made available to hunters by the California Department of Fish and Game, not only pleasing the hunters, but helping the local economy as well.

Other animals that have made a tremendous recovery while listed under the Endangered Species Act include the California condor, the black-footed ferret, and the whooping crane. And of great importance to my district, we are seeing signs of healthy recovery for ESA-listed salmon. This impacts other fishing States as well.

Ironically, this deeply flawed provision does allow funding for the Fish and Wildlife Service to delist recovered species under the act. However, you can't remove protections for recovered species unless they are listed as endangered in the first place and a successful recovery plan is implemented. This measure puts the cart before the horse.

Our bipartisan amendment, which is supported by more than 60 organizations, would strike this extreme provision. It is our responsibility to be good stewards of this Earth and prevent the extinction of wildlife, plants, and fish. The sad truth is that once we lose a species, we will never get it back. That's why we need to allow for science-based policies and recovery plans for imperiled species instead of allowing politics to drive listing decisions and activities.

I recognize that some of my colleagues have strong objections to the Endangered Species Act. But placing a spending rider on this year's Interior appropriation bill is not the answer. If real reform is needed, then let's have an honest debate in the authorizing committee to look at what is working and what's not working under the Endangered Species Act. And let's fix it.

That's a far wiser course than including an extreme policy change that goes back on America's promise to protect our most vulnerable animals and plants and would not be supported by the American public.

I ask that we support the Dicks amendment, this bipartisan amendment, and make sure that we take this extreme policy out of the underlying bill.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentleman's closing remarks when he said this is not the proper venue to address the Endangered Species Act. That has been my argument, too. I think it should be done in the authorizing committee.

But the fact of the matter is there is no incentive for the stakeholders to sit down if we continue to kick the ball ahead and not seriously look at the Endangered Species Act.

As the chairman said very well in his remarks, this is simply a shot across the bow, not only on this, but on other authorized programs. So we are not picking on these.

The Acting CHAIR. The time of the gentleman from California has expired.

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. THOMPSON of California was allowed to proceed for 1 additional minute.)

Mr. THOMPSON of California. I thank the gentleman.

This is a shot. It is a shot at the endangered species. You and I both know how important this is in regard to the salmon in our district, something that is very, very important, something that is important to our economy and something that is important to the ecology of not only our State but the ecology of the Nation. We need to work together, and I can suggest that we remove this and get to working together.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman.

Mr. HASTINGS of Washington. We share that concern about the salmon. I would point out to the gentleman that the salmon runs in the Snake River and the tributaries are coming back in greater number, which would suggest that the species is being recovered. And yet we are waiting for a judge to make a decision.

Mr. THOMPSON of California. Remember, you are very well aware of the salmon issue and how there have been a number of attempts over the matter of water that, if they had been successful, had it not been for the Endangered Species Act, there wouldn't be any fish, because without water, as you know, there are no fish.

Mr. HASTINGS of Washington. If the gentleman will continue to yield, I can't argue with the gentleman. I'm simply saying we need to look at this. It has been 23 years.

The Acting CHAIR. The time of the gentleman from California has again expired.

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. THOMPSON of California was allowed to proceed for 30 additional seconds.)

Mr. THOMPSON of California. I thank the gentleman.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman.

Mr. HASTINGS of Washington. The argument is not about the Endangered Species Act. The argument is about the serious business of sitting down and reauthorizing an act that has not been reauthorized since the 1980s.

Mr. THOMPSON of California. I suggest we do it in the authorizing bill.

Mr. HASTINGS of Washington. I totally agree with you, and I said that in the opening remarks. The gentleman from Washington suggested that, and I totally agree with him.

Mr. THOMPSON of California. I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I move to strike the last word.

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

Mr. DENT. I rise tonight in support of the Dicks-Fitzpatrick amendment. I voted for this same language in the Appropriations Committee markup a few

weeks ago, and we have all heard some pretty compelling arguments here tonight about some challenges with the Endangered Species Act. And as has been previously stated by Mr. THOMPSON and others here tonight, I agree with those who said that the proper venue for this discussion is in the authorizing committee. I have great confidence in Chairman HASTINGS, that he would take a thoughtful and sincere look at the act to make reforms that I think many people would agree are needed. But again, I don't think this is the right place to do it.

Again, I support the underlying bill. I think overall this legislation, this Interior bill, while it is not everything to everybody, and certainly the funding levels might not be where some people would like, Chairman SIMPSON has done a commendable job putting a bill together.

But I think this language in the underlying bill should be stricken as proposed by Mr. DICKS and Mr. FITZPATRICK, and so I urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KIND. Mr. Chairman, I move to strike the last word.

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

Mr. KIND. Mr. Chairman, as one of the former cochairs of the Congressional Sportsmen Caucus, and very active in that organization, I rise in support of the Dicks amendment and in opposition to the underlying bill.

It is unfortunate that Ranking Member DICKS has to offer an amendment in order to strip out a policy rider of this magnitude in an appropriation bill. We just had a short discussion about how this would be more appropriate in the authorizing committee for a further vetting of this issue. And I think there are some legitimate issues that we need to get into, but not in the appropriation bill. This is one of many policy riders that have been jammed into this appropriation bill, from the assault on the Clean Air and Clean Water Acts to allowing mining near the Grand Canyon, one of the great natural treasures we have as a Nation, and on and on and on. And this extension rider that was included in the base bill would prevent the Fish and Wildlife Service from spending money, any money, on the listing of new animals or plants under the Endangered Species Act.

So to claim that this doesn't directly affect and attack the Endangered Species Act tonight is mind-boggling to me.

And yet in my home district in western Wisconsin, a very beautiful national wildlife refuge, the Necedah Wildlife Refuge, with three endangered species located there—from the gray wolf to the cardinal blue butterfly to the whooping crane—because of the protection that they have had, they are now increasing in population. The wolf to the extent that they are on the verge of being delisted in Wisconsin, another success story. And the whooping crane is making a resurgence, all because of the protections afforded under the Endangered Species Act.

And now to claim in this bill that we are going to prevent additional funding in order to locate those species, whether animal or plant or fish, from falling under the protection, this is not the appropriate vehicle. But there is even more in this legislation that's disconcerting. The deep cuts to longstanding conservation, the Land and Water Conservation Program that has traditionally enjoyed bipartisan support, is deeply disturbing—an 80 percent proposed cut to the Land and Water Conservation Fund.

□ 2110

And I'm glad that the committee earlier this night adopted the Bass amendment to at least restore $20 million to the Land and Water Conservation Fund. But why are we cutting anything from that vital program? This isn't even funded by the taxpayers.

This comes from oil royalties from a grand bargain that we struck with oil and gas companies so they can explore and extract these natural resources from our public lands. They agreed that for the right of doing that, they would contribute to the Land and Water Conservation Fund, funds that would be used then for the enhancement of conservation programs and the protection and preservation of public lands in this country. And to come with a bill now to cut 80 percent of that out of oil royalties does not make sense. Or, the 7.5 percent under the Wildlife Refuge System.

I know Chairman DICKS has been a champion of the refuge system for many years. It's a system that affects virtually every congressional district. It brings countless revenue into our districts, plus jobs. And with the huge backlog of maintenance and operation, another 7.5 percent cut will put them in the hole.

A $7 million cut from the National Park System budget, a 21 percent cut in the Fish and Wildlife Service, a 64 percent cut in the State Wildlife Grants Program, yet back home some of the greatest conversationists that I know are my hunting and fishing buddies, because they get it. They understand if we just go and use the resources and deplete it, from the wildlife to the fish to the waterfowl, that there's not going to be that recreational enjoyment that so many of us get in the outdoor recreation community.

That's why it was no surprise that earlier this month over 640 outdoor recreation entities and preservation entities signed a letter to the chairman and the leadership and to everyone in our office decrying the spending cuts in these programs that we have before us this evening, because they know that these programs aren't something you can just turn off like a spigot. These programs require the continuity of funding and the continuity of assistance in order to make the progress that's necessary.

And so these draconian cuts that are being proposed right now are going to set back the cause of conservation, whether it's wildlife or land in the country, for many, many years, and that's unfortunate. Because these same people also understand the economic impact that these programs have.

Outdoor recreation contributes over $730 billion annually to the U.S. economy. It supports over 6½ million jobs. One out of every 20 private sector jobs are affiliated with outdoor recreational opportunity, 8 percent of consumer spending. In my own State of Wisconsin, hunting and fishing alone supports over 57,000 jobs and $400 million in State revenue.

So if we're really serious about addressing the soft economy we have now and doing what we can to get the economy on track, creating good-paying jobs, this is the wrong place we should be looking in the budget for drastic cutbacks.

I've been one of the leaders in this place for significant farm bill reform to get at the outdated agriculture subsidies.

The Acting CHAIR. The time of the gentleman from Wisconsin has expired.

(By unanimous consent, Mr. KIND was allowed to proceed for 1 additional minute.)

Mr. KIND. For years, I have been leading the effort for farm bill reform to end these taxpayer subsidies going to a few but large agribusinesses that distort the market, distort trade policies. It's not helping our family farmers. Finally discussion is starting to take place seriously to actually scrub those programs. Yet when I've led this cause in the past, I remember not too long ago a Member in this body accused me of being the Osama bin Laden of agriculture policy. Yet today, if we had taken actions 10 years ago when many of us were acting on it, maybe we wouldn't be finding ourselves in this huge fiscal hole that we have today.

So not only the policy riders but the spending cuts that are being proposed are the wrong direction for our Nation to go. It will jeopardize these vital programs—programs, again, that have enjoyed wide bipartisan support. We ought not be balancing the budget on their backs.

Over the last 30 years, funding for conservation programs has gone from 1.7 percent of Federal funding to less than .6 percent. They get it at the altar of fiscal responsibility. We can't go any deeper.

I encourage Members to support the Dicks amendment and oppose the underlying bill. We have to do a better job.

I yield back the balance of my time.

Mr. PEARCE. I move to strike the last word.

The Acting CHAIR. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Thank you, Mr. Chairman.

I reluctantly rise to oppose the gentleman from Washington's amendment and support the underlying bill. A lot of compelling arguments have been made tonight to support the Endangered Species Act without interruption. They talk about the bald eagle and the compelling story about seeing those magnificent birds, and those are visual images that we all like.

But there's a side to the Endangered Species Act that is not being told. That's the side where one group just this year filed 1,000 petitions at one time to list new species. They know that their lawyers get reimbursed from the Federal Government every time they bring suit, and so they're happy to bring these actions which are destroying jobs in the West.

For instance, in the Second District of New Mexico, a suggested listing was given this year on the sand dune lizard, a small brown lizard that I've seen in the sand hills since I was going up there. They were plentiful then; they're about the same number now, but they have been listed as endangered.

And people didn't think much of it. And then they began to read the reports that anything that disturbs the surface of the ground would represent a potential threat to the habitat of the lizard and would thereby be prohibited.

Disturb the ground, they ask. What does that mean? Well, that means oil and gas activity. That means that $2.8 billion investment for nuclear enrichment that is taking place in southern Lea County, just taking place now, creating jobs for the first time in the nuclear industry that has been dormant for 30 years, would be shut down because they disturb the ground.

It would stop the high line wires from being put up and the electric utility crews from driving to the homesteads miles and miles away from the nearest town because they would disturb the ground. They could not even check the power lines to make sure electricity is going to these remote areas.

This is the Endangered Species Act that we're seeing.

People would come to me in disbelief and say, Mr. PEARCE, it is not true? They couldn't kill our jobs with a lizard, could they? What about us as humans? What do they say?

I said, Take a look at the San Joaquin Valley. Twenty-seven thousand farmers put out of work with a 2-inch Delta smelt that we could have kept alive in holding ponds and bred by the millions and put into the rivers and go ahead and use the rivers for irrigation. But instead, a judge found that we had to shut down the entire agricultural product.

We began to import vegetables from areas that spray contaminants that we are not allowed to use in this Nation, a less safe food supply. We kill 27,000 jobs. We caused jobs to be created somewhere else, less safe food supply, all for a 2-inch minnow that could have been kept alive in some other fashion.

We also have a Lesser prairie-chicken that threatens the oil and gas jobs in our area. They're saying that the bird might not fly under or over those lines, so we can't put up electric lines across. Then, bury the lines, people say. Well, then the lizard wouldn't go across the area that's been disturbed by burying the lines.

It's easy to see why people are saying that the Endangered Species Act is not functioning properly and we've got to stop it. We are spending $3.5 trillion a year in our government and we're bringing in $2.2 trillion. Part of the problem is we've killed enough of our jobs, we've killed enough of our economy that we're in severe debt and deficit crisis.

Now, one of the problems is we've systematically eliminated the timber industry because of a spotted owl. We eliminated those 27,000 farmer jobs in the San Joaquin Valley. We've got the salmon swimming upstream, and now it's threatening that we've got to tear down all the hydroelectric dams. And the list goes on and on.

It is time for us to say that we can preserve the species and create jobs at the same time. That's not an unreasonable request. But to those lawyers making $350 a hour, they don't care if it's reasonable or not. To the Fish and Wildlife Service, they arrogantly told the people in New Mexico, No, we didn't do an economic study to see the cost on the jobs. We're not required to. These are things that are making people say enough is enough.

It's in my district that 900 people showed up to protest at one of the hearings on the listing of the lizard; 900 people coming out, and the Fish and Wildlife Service came to me in nervousness before the meeting and said, Would you speak to those who couldn't get into the meeting? They're agitated. I said, People do get agitated when you start killing their careers, when you start taking the jobs away from them.

There's a side to the Endangered Species Act that is being dealt with here tonight. I support the underlying bill and oppose the amendment.

I yield back the balance of my time.

□ 2120

Mrs. CAPPS. I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. CAPPS. Mr. Chairman, I am in favor of Mr. DICKS' amendment to remove this destructive and shortsighted anti-wildlife rider from the underlying bill.

The rider would gut the Endangered Species Act, as we've been discussing—a law that has worked for 40 years to successfully conserve our Nation's plants and animals. It would do this by blocking the Fish and Wildlife Service from new listings and bar the designation of critical habitat for currently listed species.

As has been said on both sides of the aisle this evening, this provision creates a one-way path to weakening wildlife protections by allowing the service to delist and downgrade a species' status from endangered to threatened but not to list new species. Unless a species is listed, it receives no protection under the ESA. Currently, the service has identified over 260 species that warrant protection but cannot be listed due to a lack of Federal resources. That's 260 species of plants and animals found across the Nation that are in dire need of assistance and are at risk of disappearing forever.

Mr. Chairman, America's native plants and animals are already in serious trouble—under constant threat from toxic pesticides, air and water pollution, habitat destruction, and climate change; but this shortsighted and irresponsible rider may prove to be the most immediate and serious threat of all, sending countless species into extinction and destroying America's great conservation legacy.

It is our responsibility here to protect and conserve our Nation's most precious resources for future generations, and of course, that's why the Endangered Species Act was written. It codifies our commitment to good stewardship, and it preserves what we hold dear for the benefit of our children and our grandchildren. Since its initiation, we've witnessed incredible comebacks. Animals that were once on the verge of disappearing forever are thriving once again.

Because of the Endangered Species Act and other successful partnerships, bald eagles have returned, not only to Washington State, but to the Channel Islands off the coast of my congressional district. Just a few years ago, a pair of nesting bald eagles produced the first wild-born chicks in 50 years on Santa Cruz Island.

Also on the Central Coast, we've seen California condors and peregrine falcons soaring through our skies once again. The Guadalupe fur seal, which was hunted to near extinction, can now be seen swimming off the Channel Islands. There are similar success stories for the southern sea otter and the blue whale, both found in the Central Coast waters of California; and the return of Island Foxes, whose population dropped down to less than 100, is now back above 1,200.

Mr. Chairman, of course there are so many examples across the country—Florida panthers, gray wolves, grizzly bears—and hundreds more species that have not gone extinct after receiving protection under the act. These species can't wait any longer, and we can't let them disappear forever on our watch.

I strongly urge my colleagues to support Mr. DICKS' amendment to strike this irresponsible provision in the bill. We can and must do better. Our children and our grandchildren are depending upon us.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I move to strike the last word.

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

Mr. BISHOP of Utah. I rise to support Mr. DICKS' idea but not the process he is using to get there.

It is one of the amazing things as you look about the debate on this particular amendment. It's like ships passing in the night—getting close but never actually touching because everyone who has spoken so far is saying the same thing: that we want to have an Endangered Species Act that works. This needs to be fixed or amended and changed in some way to make it work better, to involve the entire process so that everyone is working towards the same goal; but for some reason, it flat out is not happening, and it's not happening because we have violated the process.

Everyone has said this is not the right place to try and fix the Endangered Species Act. That's also true, but it's the only process that's allowed because we have violated our own intent. Appropriators are supposed to appropriate funds to programs. Authorizers are supposed to create the programs and then every so often reauthorize those programs to make changes based on the need or to make sure that we are moving in the proper direction.

Let me introduce you, or at least remind you, of John Gochnauer—one of my favorite baseball players at the turn of the century with the Cleveland Indians. He was good enough to play regular shortstop for Cleveland, although the first year he played he committed 48 errors, and his batting average was 187. He was still good enough to stay around for the next year when, this time, his errors were just slightly under 100—he had a hard time hitting the first baseman when he threw—and his batting average was, once again, 187.

I say that specifically because the most inept player ever to put on spikes and play Major League Baseball had a batting average of 187. The Endangered Species Act has listed over 2,000 species and saved 21 for a batting average of 10 if you round up. It's actually .009. That clearly indicates we can do better, and we need to do better.

So the question has to simply be why aren't we doing better? Why can't we fix this problem and have a better success rate?

The answer is very simple:

For 23 years, we have put riders on this particular appropriations act to fully fund the old program, which has prohibited the authorizing committee to ever get people together to make the program better.

Chairman HASTINGS has simply said his goal is to provide a process that improves the system—and there is room for improvement of the system—but to do that, you've got to get the players to sit down in the authorizing committees where this is supposed to be worked out. The Endangered Species Act needs to be expanded, needs to be fixed, needs to zero in to create people working together for a common goal.

I am actually grateful for Representative DICKS and Representative SIMPSON and what they have done in this bill. This amendment in the underlying bill does not destroy the Endangered Species Act. It doesn't even cut the funding for those species that are already being worked on. All it does is provide a change in the process to insist that people have to do what we should have been doing for the last 23 years—going to the authorizing committee and fixing the act, not just kicking the can down the road by funding it year, after year, after year, after year, while only 21 species have recovered over the 2,000 that could have and should have been.

I'm sorry. That's what everyone is saying. We all want species to be preserved and recovered, but we all are failing in the process, and after 23 years, we should have learned what we have been doing in the past doesn't work. Maybe if we went back to the way the system was intended to be and was designed to function, we could actually move forward in this entire issue, which, oddly enough, is what everyone is saying.

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

Mr. DICKS. I move to strike the requisite number of words.

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

There was no objection.

Mr. DICKS. I will do this very briefly.

As I recall, from 1995 to 2007, the other side—the majority party today—was the majority party then, and I don't remember any great effort on the Endangered Species Act. I welcome it. I welcome that any act can be made better. Now you guys are in charge again, and you have another opportunity. I believe Mr. BISHOP has been on the committee for quite a long time. I'm going to go look in his reform bill in the RECORD to see what has been happening here.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington State, from the Natural Resources Committee.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

I appreciate the gentleman's remarks. I would remind him, from the time that we did get control of Congress in 1995 until your side gained control after the 2006 election, that was the issue that the then-chairman—the last chairman of the Natural Resources Committee, Richard Pombo from California—was working on. As a matter of fact, I think it was in 2005 that we did pass ES reform out of this House.

□ 2130

It did not go anyplace in the other body. So history tends to repeat itself.

Mr. DICKS. Former Senator Kempthorne worked on it.

Mr. HASTINGS of Washington. He did, as did Senator CRAPO from Idaho.

Here is the problem: The problem is that through all of the efforts of Chairman Pombo of trying to get this enacted and he couldn't get it through the Senate, then you know what the Appropriations Committee did?

Mr. DICKS. Reclaiming my time, because I can't go on forever, I just would say nobody is stopping you. Hold your hearings. Have your meetings. Bring up the witnesses, but don't stop listing 260 candidate species until you get the job done.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. HASTINGS of Washington. I've been chairman now for a little over 6 months. I have every intention to do that, and I want to work with the gentleman on this.

Mr. DICKS. I want to be involved in this.

Mr. SIMPSON. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Idaho, my good friend and the chairman and former ranking member, one of the best ranking members I've ever had.

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. BISHOP had it exactly right. We all want the same thing. We want the Endangered Species Act, but we want the Endangered Species Act to work. And as you mentioned, Senator Kempthorne worked on it very hard, got it through the Senate when he was a Senator before he became Governor of Idaho. And it was some Republicans frankly in the House that stopped it because they didn't think it went far enough.

Unfortunately, if we just continue to do what we've done in the past, we're going to get exactly what we've gotten in the past, and that is no incentive for people to sit down and say we've got to work on this and we've got to get it done. And that's all we're trying to do.

Mr. MORAN. Will the gentleman yield?

Mr. DICKS. I yield to the ranking member.

Mr. MORAN. I do think it might be instructive that Mr. Pombo is no longer among our ranks and the principle reason is the Endangered Species Act authorization that he attempted to write which was so destructive of the original intent of the Endangered Species Act of 1965, and it was a Republican Senate that defeated it.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I just want to respond to my friend from Virginia.

The bill passed, if my memory serves me correctly, with bipartisan support.

But, yes, of course there are political risks in doing whatever we're doing in

this body; and we all face that. After all, this is the people's government. But the point is it needs—and we've been saying over and over, the ESA needs to be updated.

It's been 23 years, for goodness sake.

Mr. DICKS. No one is objecting. I agree. We should look at how to improve the ESA. I don't like to hear these examples of where the process has not been able to be worked out. I have had to go through this as you have in the Pacific Northwest with the spotted owl, the marbled murrelet, salmon, et cetera. Now, those are starting to recover. We're making some progress, but I still believe we can make this act better.

I just think by taking out the ability to list and to have critical habitat, we're risking some of these species that are close to extinction.

And remember this: it's also about biodiversity, the web of life. We don't know how all of these things relate and whether something can be created, a medicine that could save lives in the future. And that's why trying to protect these species is an important thing.

The Acting CHAIR. The time of the gentleman from Washington has expired.

(On request of Mr. SIMPSON, and by unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. It's important for civilization, for humanity. We're creatures here, too. We depend on a lot of other animals in order to survive. And so this goes beyond just a legislative ''it's difficult.'' This is down and dirty. This is very important. This is very important to survival.

Mr. SIMPSON. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Idaho.

Mr. SIMPSON. I don't disagree with anything the gentleman just said. It's also important to remember that this amendment would take the caps off that have been in place since President Clinton and would undermine the Fish and Wildlife Service's budget to a great degree because it would then be controlled by the courts and by lawsuits. That's not where we want to go.

Mr. DICKS. We'll fix it in conference.

I yield back the balance of my time.

Ms. HIRONO. Mr. Chair, I rise in support of the Dicks-Fitzpatrick-Thompson-Hanabusa amendment to delete the Extinction Rider that was improperly added to this legislation. This rider, which has no place in an appropriation bill, prevents the Fish and Wildlife Service from spending any money on listing new plants and animals under the Endangered Species Act, designating critical habitat, or upgrading species from threatened to endangered.

This is a big deal to me because Hawaii happens to have the highest number of endangered species of any state in the nation. This is due, in large part, to the unique species that evolved in Hawaii because of its location 2,400 miles from the nearest land mass. In fact, Hawaii's 33 endangered bird species represent 42 percent of the U.S. bird species listed as endangered. All of these live in my district. For example, we have a beautiful endangered forest bird called the Hawaii 'Akepa. Thanks to the Endangered Species Act, the populations of this bird are currently stable on Hawaii Island, although it is very rare on the island of Maui. The 'Akepa and the other 32 Hawaiian bird species listed as endangered are threatened by loss of habitat, a warming climate, and the onslaught of introduced species.

In fact, 69 of the 265 candidate species for addition to the Endangered Species Act—26 percent—are found in Hawaii. Most, like the 'Akepa, are found nowhere else in the world.

Another example of an Endangered Species Act success is the threatened Hawaiian green sea turtle—or honu as we call it in Hawaii. In the 1970s, before being listed, the Hawaiian green sea turtle was in steep decline because it was regularly hunted and eaten. Since being protected by the Endangered Species Act, the numbers of green sea turtles have increased dramatically—by 53 percent over the past 25 years! Despite this success, the honu remains vulnerable because its primary nesting habitat in the Northwestern Hawaiian Islands could be lost to sea level rise caused by climate change.

As members of Congress, we have a special responsibility to protect and be stewards of the land, the water, the air, and the species with which we share this world. There is no recovery from extinction. Each time we lose a unique creature or plant that evolved over thousands or millions of years, we make the world a poorer place and rob future generations.

Ms. SLAUGHTER. Mr. Chair, I rise today to defend our democracy from the egregious attacks on our legislative process that are abundant in the underlying legislation. The FY 2012 Interior Appropriations bill is rife with policy riders that legislate on an appropriations bill, which is in violation of Rules of the House. As a long serving Member of the House Rules Committee, I have seen a fair share of policy riders attached to legislation, but never in the history of my time here in the House have I seen such blatant disregard for the House rules and departure from regular legislative order.

There are dozens of these anti-environment policy riders—or should I say these pro-industry earmarks that are included in the underlying legislation. There is an entire stand-alone bill included in this must-pass legislation—an entire bill that couldn't muster enough support to be passed into law on its own virtues—that is standing in our way from funding the government in the upcoming fiscal year.

Last Thursday in the Rules Committee I offered a motion to amend the rule to strike the waiver that protects these offensive riders from points of order. If the Majority had voted in support of regular order and adopted my amendment, the Members of this House would have had the opportunity to raise points of order against these assaults on our environment here on the floor and strike them from the bill. Predictably, though, my motion failed on a party-line vote.

If the Majority had followed regular and adopted my amendment to the rule in Committee, Members of the House could have been able to strike riders that:

Put more toxic mercury, arsenic, and lead into our air and puts our children's health at risk; Allow more soot pollution in our air;

Block EPA from moving forward with carbon pollution standards for new vehicles after 2016;

Put as many as 34,000 lives at risk;

Threaten the health of millions of Americans;

Threaten the health of America's children, elderly citizens and other vulnerable populations;

Block EPA from limiting dangerous air pollution from livestock production and manure management;

Ban EPA from doing its job to enforce the Clean Air Act in Texas;

Exempt oil companies from complying with Clean Air Act standards;

Put the drinking water of 117 million Americans at risk;

Prevent EPA from protecting communities' clean water supplies;

Allow unregulated discharge of pesticides directly into waterways;

Threaten the health and environment of communities across Appalachia by blocking a number of protections against the destruction and pollution from mountaintop removal coal mining;

Put thousands of people living near coal ash pools at risk of toxic disasters;

Put Americans' drinking water and waterways at risk of sewage and urban runoff pollution;

Block EPA from moving forward with new rules to minimize the adverse environmental impacts of power plant cooling water intake structures;

Block protections for more than 1 million acres of land around the Grand Canyon;

Put public lands at risk of destruction;

Put the Delaware Water Gap and parts of the Appalachian Trail at risk of development; and

Put endangered species at risk of harmful pesticides.

So here we are tonight, fighting for our fellow citizens' right to clean air and clean drinking water with one of the few tools we have left as the minority in the House—our voices and the privilege to represent our constituents on the House floor. We are fighting to uphold decades of successful, bipartisan environmental laws that have protected our environment and improved our public health.

Each policy rider goes against our nation's values and our belief that we solve our toughest problems through shared sacrifice and working together. When these policy riders are all combined, they place a suffocating burden on the American people while rewarding special interests and the lobbyists who walk these halls.

Under this bill, the nation's clean air protections would be devastated, leaving our children exposed to life-threatening pollution. This bill would cause hundreds of thousands more Americans to suffer from the dangerous and deadly impacts of air pollution. The bill's policy riders prevent the EPA from doing its job to protect public health and won't cut one dime from the deficit.

The EPA has been actively engaged in helping clean up the air in Tonawanda, New York, which I proudly represent, and I stand by the agency's ability to continue doing the good work to improve the quality of life for

those residents. Rolling back the Clean Air Act, as is proposed under this legislation, will lead to more air pollution, more hospital visits and more deaths. We must support the Clean Air Act so that all Americans can breathe easier.

I will mention one more of these abhorrent policy riders that should be struck from the bill. There is a rider in this legislation that will effectively open up a million acres of national forest and other public land around Grand Canyon National Park to new uranium mining claims. Democrats have concerns about maintaining the integrity of the Grand Canyon and the effect of uranium mining on water quality, not to mention the spectacle of auctioning off a national treasure with the proceeds going to mostly foreign-owned entities, including Russia's state atomic energy corporation and South Korea's state-owned utility. America is not for sale, Mr. Chair, even if Republicans would like us to believe otherwise.

Mr. Chair, I stand firmly in opposition to the Majority's daily attempts to whittle away at the rules of the House. I urge my colleagues to oppose the Majority's protection of policy riders that endanger our public health and environment in favor of private interests, and to oppose the underlying legislation.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein, $11,804,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $15,047,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding 16 U.S.C. 4601–9, not more than $4,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $120,000 for administrative expenses.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1534 et seq.), $2,854,000, to remain available until expended, to be derived from the Cooperative Endangered Species Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,980,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $20,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GRIFFIN OF ARKANSAS

Mr. GRIFFIN of Arkansas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, line 21, insert after the dollar amount the following: ''(increased by $3,000,000)''.

Page 65, line 19, insert after the dollar amount the following: ''(reduced by $3,000,000)''.

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

Mr. GRIFFIN from Arkansas. Mr. Chairman, I rise to offer an amendment which will leverage our limited resources for wetlands and wildlife conservation.

My amendment would transfer $3 million to the North American Wetlands Conservation Fund, or NAWCA, by reducing the EPA's operations and administration budget by the same amount.

The EPA has been overfunded in recent years, and I appreciate Subcommittee Chairman SIMPSON's efforts to bring the agency's budget back down to size.

This amendment makes a reasonable reduction to the EPA's administrative budget in favor of wetland conservation.

Since this organization was established in 1989, more than 1,800 projects have led to the conservation of over 24 million acres of wetlands across North America. Each of these projects is funded through a public/private partnership. And for every dollar of the organization's money that is spent in my home State of Arkansas, private sources and foundations have given $4 in matching funds.

In Arkansas alone, 12 of these projects are either completed or currently under way. And these projects have conserved over 64,000 acres of wetlands.

Make no mistake, this success story is not limited to Arkansas. Wetlands, wildlife, and outdoorsmen in every single State in the country have seen the benefits of this conservation effort.

Arkansas sits in the cradle of the Mississippi flyway, a migration route used by waterfowl as they fly to the southern United States each autumn. Migratory waterfowl and other birds often settle in the wetlands along the White River and Arkansas River, and the health of these habitats is closely tied to the health of the wildlife which inhabit them.

This amendment would improve the condition of our Nation's wetlands and wildlife. This is important to sportsmen, conservationists, and anyone who enjoys the American outdoors.

I urge my colleagues to support this commonsense conservation amendment.

I yield back the balance of my time.

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

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

Mr. MORAN. Mr. Chairman, I have the voting record from February 16. I know the gentleman will recall H.R. 1 and the debate that ensued.

In H.R. 1, the North American Wetlands Conservation Fund was zeroed out, and so I had an amendment to restore $50 million to the North American Wetlands Conservation Program. What I find curious—confusing—is that the very gentleman that now wants to put money into the program voted ''no'' against putting the $50 million into the North American Wetlands Conservation Program back in the spring.

Now, I do think it's an important program. I would like to see it continued. But I do have a problem with the fact that what we're doing when we want something to be funded, we take it out of the management of agencies—$3 million, $5 million, $6 billion—and when these amendments pass, you have a very damaging cumulative effect upon the ability of the agency to banish these programs. If this were to pass, we're now at $8 million that has been taken out of the management of EPA.

So I would have to oppose the amendment. And I'm not sure how strongly the gentleman feels about it since he voted against restoring the money in February, as did a great many Members of the body, unfortunately, because it is a good program.

I yield back the balance of my time.

□ 2140

Mr. SIMPSON. I move to strike the last word, Mr. Chairman.

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

Mr. SIMPSON. Mr. Chairman, I am prepared to accept the amendment. While the gentleman from Virginia offered an amendment on H.R. 1, which was several months ago, it was $50 million. We didn't have that kind of money. Because of the bipartisan support for this program, we did fund it to keep it alive at $20 million. And I have no problem putting the additional funding in, if the gentleman requests, depending on where he takes it from. So I support the gentleman's amendment and would hope that my friend from Virginia would think twice and support this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the

Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $7,875,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $22,000,000, to remain available until expended: *Provided*, That of the amount provided herein, $2,000,000 is for a competitive grant program for federally recognized Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $2,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this heading shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this heading for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,240,152,000, of which $9,832,000 for planning and interagency coordination in support of Everglades restoration and $97,883,000 for maintenance, repair, or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments shall remain available until September 30, 2013.

AMENDMENT OFFERED BY MR. TONKO

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 7, after the first dollar amount, insert ''(decreased by $8,408,000)''.

Page 14, line 19, after the dollar amount, insert ''(increased by $8,408,000)''.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Mr. Chair, I rise today to offer an amendment to H.R. 2584, the Interior, Environment, and Related Agencies Appropriations Act for fiscal year 2012. The amendment is bipartisan and is supported by the Congressional National Heritage Caucus and the 49 National Heritage Areas across our country.

The amendment is straightforward and modest. The amendment restores the National Heritage Area program within the National Park Service to the fiscal year 2010 funding levels. This amount is constant with the amount approved by Congress for the past several years. To pay for this increase, the amendment shifts $8,408,000 away from the Office of the National Parks Service account.

From Alaska to Florida, the National Heritage Areas are the most effective public-private partnerships for resource conservation and heritage tourism supported by the Federal Government. While each of the 49 National Heritage Areas currently in existence are authorized to receive $1 million in annual support through the Department of Interior, the National Heritage Area program has only been funded between $15 million and $18 million over the past 5 years by Congress, despite their success in revitalizing communities and conserving naturally significant resources with only modest Federal support.

These public-private partnerships are perhaps the most cost-effective and efficient programs within the Department of Interior. Matching every dollar of Federal support with $5.50 of other public and private funding, National Heritage Areas are clearly a high-yield investment of Federal resources.

To be clear, that investment results in over $100 million of economic activity. During a time when our economy is so fragile, we must support these programs that have a proven record of economic benefit. National Heritage Areas have such a proven record of fostering job creation and advancing economic, cultural, historic, environmental, and community development. In addition to creating jobs, National Heritage Areas generate valuable revenue for local governments and sustain communities through revitalization and heritage tourism.

More specifically, in my district, a recent study released last year by my local heritage area, the Erie Canalway Heritage Corridor, found that visitors to heritage sites in the eastern part of the corridor—found that nearly 1 million people visit heritage sites each year, generating some $38 million sales in local businesses, supporting 507 local jobs.

We must preserve sites that are historically significant. Doing so will increase community spirit as well as generate much-needed tourism dollars. A recent United States Cultural and Heritage Tourism Marketing Council and United States Department of Commerce study revealed that cultural heritage travelers contribute more than $192 billion annually to our United States economy. I would point out also that this tool, this opportunity for heritage areas enables given regions to have a stronger sense of marketing tools. They are able to promote a stronger sense of place and a much more dynamic bit of destination. That is a tool in the economic recovery toolkit that is tremendously valuable and important to these given host regions.

I want to thank Representative DENT of Pennsylvania for offering this amendment with me today. He is the cochair of the National Heritage Area Caucus in the House, and he and his staff have been a pleasure to work with on this amendment. I also need to thank the ranking member on the committee, Mr. DICKS, and our ranker of the subcommittee, Representative MORAN. They have been invaluable in their support in my effort for this amendment.

Understanding today's difficult budgetary climate, I want to remind everyone that this amount is equal to the total appropriation for the program in the previous fiscal year and reflects the minimum level of support National Heritage Areas need to remain successful. I hope my colleagues will consider joining Mr. DENT and myself in supporting this modest funding level for a vitally important program.

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

Mr. DENT. I move to strike the last word, Mr. Chair.

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

Mr. DENT. Mr. Chairman, I do rise in support of the Tonko amendment. Mr. TONKO and I have offered this amendment for consideration by the House.

We are the cochairs of the Heritage Corridor Caucus. I represent the areas of the Delaware-Lehigh Heritage Corridor as well as the Schuylkill Valley Corridor in eastern Pennsylvania, and we have seen a great deal of positive activity as a result of these heritage areas. Specifically, as Mr. TONKO conveyed, a great deal of tourism activity, recreational opportunities, as well as economic development occurs as a result of this. Also, significant community development activities have been the result of our efforts and investment in these heritage areas.

Obviously money is very tight, and this program is taking about a 50 percent reduction under the underlying bill. The amendment before us will simply restore about $8.4 million to the heritage area, to the heritage partnership program; and we'll be taking that money, substituting it from the National Park Service, where we believe they have sufficient funds to operate.

I support the underlying legislation. I know Chairman SIMPSON has put a lot of effort into this. I think he has really done a great deal, given the numbers he has had to work with. So I do support the underlying bill. But I think that this amendment strikes a proper balance and preserves and protects these heritage areas that are making a real impact across the country.

I guess there are 49 of these heritage areas currently in existence, and most of them, I believe, are receiving under $1 million of support through the Interior Department. So I just think this is a program that is worthy of our support. We're just simply, in these tough economic times, trying to bring this program back to neutral. I know the administration did not, in their budget proposal, cut this program as well. But I think this might be one way this amendment could help us bring this program back to a level that will be sufficient in supporting these heritage areas.

Again, as was stated by Mr. TONKO, these communities are benefiting. We are seeing so much tourist activity. We are seeing increased recreational opportunities. I know in my community, we are all of a sudden doing things on our rivers and discovering our rivers and the natural beauty of them that many of us had not really noticed before, and it's really as a result of this. Again, it brought the rivers back to life, economic life, community life, and it has become really, once again, the center of our existence. And a lot of this would not have been possible but for the efforts of these heritage areas. So, again, I rise in support of the Tonko-Dent amendment and would urge the House to adopt this.

I yield back the balance of my time.

Mr. MORAN. I move to strike the last word, Mr. Chairman.

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

Mr. MORAN. Mr. Chairman, I want our side to go on record in support of what Mr. TONKO and Mr. DENT are proposing. We have worked with them on this amendment.

This is the kind of program that really ought to have unanimous support in the House. I mean, we're talking about very small amounts of money that are distributed throughout the country; oftentimes $150,000; sometimes it gets up to $700,000. But they are relatively small amounts of money.

□ 2150

And what they do is to bring local community leaders together. Local communities love it and, of course, it draws tourism. It gets into the newspaper, oftentimes into metropolitan newspapers suggesting this is a terrific day trip for families to go on. They follow the Heritage Trail.

It has that kind of national recognition and credibility that only the Federal Government oftentimes can provide to a National Heritage Area, because many people claim it. But when the National Heritage Program identifies it as one of the true assets of our country and places that should be protected and preserved and explained to the public, then more people come. And it generates jobs; it generates economic activity.

Mr. WOLF just put in an authorization. He probably won't get the full amount of money that's authorized, but it will get some for the Civil War Battlefield Crossroads Trail, and that's drawing people up with the sesquicentennial of the Civil War.

All over the country. The Hudson River, there was a gentleman on the other side that opposed it when Mr. HINCHEY put it in, had it designated. And then when he saw how successful it was, he said, Let's get my part of the Hudson River included.

This is a really good program. It was funded at about $17 million, 50 percent cut though. What are we doing? Talk about being penny-wise and pound-foolish, really. A 50 percent cut in it. It hurts the economies of any number of areas around the country.

So we think that this is a very reasonable amendment, and we congratulate the caucus for coming forward and suggesting that the money be restored, and we hope that it will be.

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

Mr. SIMPSON. Mr. Chairman, I move to strike the last word.

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

Mr. SIMPSON. First, let me thank the gentleman from Pennsylvania and the gentleman from New York for their amendment. I'm sympathetic to what they're trying to do and the work that they do in the National Heritage Caucus, and it's important work. But I rise in reluctant opposition to the amendment.

While I'm sympathetic to the intent of the amendment and the increased funding for the National Heritage Areas, I'm concerned that the offset would take funds away from the account providing funds for operations of our national parks across the country.

One of our goals in this bill was to provide sufficient funding for park operations so that every Park Service unit in the country would be open for business next year, without the threat of layoffs or furloughs for full-time or seasonal employees. My fear is that reducing this account by $8.8 million would undermine the operation of our national parks.

Let me also point out that, while the amount in the bill is reduced from the fiscal year 2011 enacted level, the National Heritage Areas are funded in the bill at the amount requested by the President's budget. These National Heritage Areas are supposed to become self-sufficient, and the problem is we're going to see that when that doesn't happen, the funding request from the President is going to not be in their budget and, consequently, there's not going to be any money for these National Heritage Areas requested by the administration.

We funded this at the President's level. I appreciate what the gentlemen are trying to do. I support the National Heritage Areas program, but I, because of the offset, reluctantly oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. AMASH

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 7, after the first dollar amount, insert ''(decreased by $2,206,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $2,206,000)''.

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

Mr. AMASH. Mr. Chairman, did you know the Federal Government subsidizes the Goo Goo Dolls, Lynyrd Skynyrd, and the Gipsy Kings? What about the Culture Shock East Coast Dance Concert?

Well, it does.

My amendment to H.R. 2584 will reduce the deficit, save taxpayer dollars, and stop subsidies to bands, including the Beach Boys. This amendment will reduce the deficit by $2.2 million by transferring funding from the National Capital Area Performing Arts program to the spending reduction account.

The National Capital Area Performing Arts program provides free

concerts and subsidized performances in and around Washington, DC, by paying for ushers, performers, lighting and other performance-related costs. The program funds venues like Carter Barron Amphitheater in DC. Even the National Park Service, which administers the program, has recommended its elimination, saying it distracts the Park Service from performing its core functions.

My amendment is simple. It will transfer all of the program's $2.2 million in funding to the spending reduction account. I like the Beach Boys as much as the next person, but that doesn't mean we should force taxpayers to subsidize my ticket if I go to their concert.

Don't break taxpayers' trust. I urge my colleagues to support this commonsense amendment to prevent the wasteful spending of taxpayer dollars on niche entertainment programs in the Washington, DC, area.

I yield back the balance of my time.

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

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

Mr. MORAN. First of all, I'm not sure why you want the Beach Boys to be the issue here. We were just discussing Mr. WATT's tenure as Secretary of the Interior. That was not so successful when he came after the Beach Boys.

But be that as it may, what we're really talking about here are a number of nonprofit organizations, and these are national memorials. Ford's Theater, Wolf Trap. I guess because the Beach Boys performed at Wolf Trap they are an issue. Actually, I would recommend to the gentleman that he watch them perform. I guess it's more my age than yours that can relate to them, but it was a pretty good performance. But I digress.

We're talking about Ford's Theater, Wolf Trap, Carter Barron, all part of the National Park System. The Kennedy Center is a national memorial. These are performing arts right here on the Capitol grounds as well.

Now we're talking about nationally significant sites, and the performances that occur, in fact, are part of the mission of these sites. They were authorized for members of the public, the taxpaying public, to come to a nonprofit venue and, in fact, be entertained. The national parks do that. They entertain the public that pays for them, sometimes by seeing iconic sites, sometimes by hiking and camping, sometimes it's by performances. So the National Park Service is in keeping with its mission to interpret the purpose of these national sites.

These performances are seen by citizens, in fact, all over the country. Many people who visit our Nation's Capitol attend these performances as part of their trip to the District of Columbia. And the crowds that fill the West Lawn of the Capitol on Memorial Day and the Fourth of July are testament to the public's support for this program.

In fact, if you were there on Memorial Day or the Fourth of July and turned to see the crowd, there are people as far as the eye can see, people representative of this vast, diverse country, and every single one of them had a smile on their face. Every single one of them was delighted, overjoyed that they were able to participate and appreciate and enjoy the performance that was put on on the Fourth of July and Memorial Day. That's part of our Nation's heritage. It's a proud part.

This amendment would do real harm to programs enjoyed by millions of Americans.

I would also suggest that this line item has already suffered a virtually devastating cut. It was funded at about $10 million. It's been cut to about $2 million. I mean, it's just barely hanging on. And now this amendment would eliminate it?

□ 2200

I mean, think about this. I know that some of the Members, at least as many Members of the majority side as the minority side, were there for the Memorial Day concert. I saw them. I was sitting with them. The chairman of the full Appropriations Committee, the chairmen of the subcommittees, the leadership of the House and Senate were all there honoring our troops.

Mr. DICKS. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Washington.

Mr. DICKS. Colin Powell was there to thank all of the troops that had served in Iraq and Afghanistan, and many of the wounded warriors were there as well.

Mr. MORAN. Not only were they there but Team 6 that had just dealt with Osama bin Laden in a fairly definitive manner, SEAL Team 6 was there. We couldn't identify them, but we all applauded for them, and they couldn't have been more overjoyed.

The gentleman makes a very good point. Colin Powell was basically the master of ceremonies.

Now, this is what we want to eliminate? This is what is such a threat to our budget as taking so much money? It's not taking that much money, and whatever money it's taking, it's giving back far more in return.

Mr. DICKS. I thank the gentleman for yielding and I hope we can defeat this unneeded amendment.

Mr. MORAN. I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment, and I agree with the words that were spoken by the gentlemen from Virginia and from Washington.

In these tough economic times, it is important that we keep some things that are very important, I think, to the American people. If you look at the programs that have been put on by the Capitol concerts on the Fourth of July and on Memorial Day and what they've done for our troops and for really the spirit of America, I think is vitally important. They do things at Ford's Theater and other places around this country.

We have to remember: this is our Nation's Capital. The things they do here are important. They're important for our country, not just for this small piece of land we call Washington, DC. So I hope that Members on both sides of the aisle would recognize the importance of these programs and the work they do and the importance that they have for the American people and would reject this amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $49,363,000.

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 19, after the dollar amount, insert ''(decreased by $300,000)(increased by $300,000)''.

The Acting CHAIR. The gentlewoman from the District of Columbia is recognized for 5 minutes.

Ms. NORTON. Mr. Chairman, my amendment would designate $300,000 from the National Recreation and Preservation Account for a National Park Service study of whether applying the same rules and regulations to all parks maximizes the highest and best use of individual parks, for the system as a whole, and for Americans who use our parks.

This is but a study, and it would require the National Park Service to look at how NPS, cities, counties and States, as well as other countries, manage their diverse parks and to suggest, from the available best practices, appropriate ways to help NPS meet the needs of individual communities within the basic uniformity necessary to operate a national system of parks. Today, the NPS applies the same rules and regulations to all its parks, regardless

of location, from the almost 1200-square-mile Yosemite National Park to small urban parks on street corners.

I support a unified national park system, but NPS should develop flexible standards that take into account the unique circumstances and population of individual parks and changing conditions throughout the country in keeping with congressional recognition of both conservation and recreation as primary reasons for our parks. The neighborhood parks in the District of Columbia, for example, serve a very different function from Yellowstone. Dupont Circle Park is a central urban community meeting place in the District, not a place for enjoying the greenery of nature, as much as we love our parks for that purpose. On any given day, you will find people playing chess, sunbathing, playing Frisbee or passing out fliers.

Madam Chair, I have come to the floor because I have tried, unsuccessfully, to get the Park Service to make small adaptations perfectly compatible with their mission to allow for the people in the parks in my own district, and I am certain that other Members have found similar roadblocks. For example, the Park Service won't allow bike share stations on or near Federal parks, and they are not permitting the three golf courses in the District of Columbia to be run as a public-private partnership. Both of these examples have run into the same one-size-fits-all concession concerns.

Yet the National Park Service could negotiate concession agreements that accommodate bike share in the future; and an inflexibility in Park Service insistence on concession contracts that do not allow capital investment resulting in an astonishing deterioration of invaluable capital-intensive golf courses in the District could give way to other approaches, such as public-private partnerships operating under long-term leases that would allow private funding to assist the Park Service with upgrading and maintaining these public assets with Congress, which the taxpayers can't possibly by themselves maintain.

Inflexible, one-size-fits-all policies keep Americans from using our parks for compatible purposes, such as bike stations, or, worse, condemn unique iconic resources to inevitable decline.

Madam Chairman, my amendment is of the lowest possible cost. It is for a study to tell us what to do, to tell the Park Service what to do, to allow people throughout this country who live in very different locations and have to use our parks in very different ways just how this must be done compatible with a uniform National Park Service.

I ask that my amendment be approved.

I yield back the balance of my time.

Mr. MORAN. I move to strike the last word.

The Acting CHAIR (Ms. FOXX). The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Madam Chairman, I think we have a problem in the amendment, itself, because it would specifically designate a study that might be interpreted as some type of earmark, which I don't think it really is.

I like what the gentlelady is trying to do. I think it's important. I think we ought to have a consideration by the Park Service of whether they are sufficiently flexible in dealing with local communities.

□ 2210

There was a recent article written in The Washington Post talking about some of the opportunities that exist to bring the community into local parks, urban parks, where far more people could be involved, people could participate, people could enhance the enjoyment of things that take place. For example, if there is a large soccer event at a park that is controlled by the National Park Service, you could bring the whole community in to watch it on a large screen.

There is no question but that we could find ways to discourage automobiles and encourage bikes—have bike sharing, for example, on The National Mall so that people could rent bikes and bike around The Mall. It wouldn't cause any environmental damage; in fact, it would preserve some of the lawn on our National Mall. Some people would enjoy it more and they would get a little exercise. Just all kinds of ideas that might be proposed by communities.

I remember being out in Washington State, San Juan Island. This was a little place. It's a national park because there was a bizarre military conflict that occurred out there. I won't go into the whole military conflict, but the people there love the bunny rabbits that are there. Well, the Park Service decided that they're really not a native species, there are too many of them, so the Park Service decided they're going to use the method they use at other places. First of all, they thought they would gas them, which the community was shocked by. Then they decided, well, we'll shoot them and so on, reduce the population. You know, if they had just sat down with members of the community, they could have figured out how to keep these bunnies that the community wanted, avoid a whole lot of negative attitude with regard to the Park Service, and in fact enhance the enjoyment of this little national park at San Juan.

I'm sure there are examples all over the country, in fact, all over the world, because the National Park Service has any number of parks outside the physical boundaries of our North American continent. We've got the Virgin Islands and so on.

I don't know what the local neighborhoods might suggest, but I do know that they have a lot of good ideas, ideas that the National Park Service ought to consider thoughtfully. And some will be rejected, but some might well be accepted. But the process of that kind of community input, it seems to me, would generate even more support for the National Park Service.

It's a great institution. Our parks are iconic assets to our Nation. But I do think that the local community could enjoy them more and appreciate the National Park Service's role more if we had the kind of dialogue with the Park Service that Ms. NORTON is suggesting.

I don't see any harm in having that kind of study. I think we ought to be able to work with the gentlelady, maybe put together some report language, at least a letter to the head of the National Park Service suggesting that this is an area that the Congress itself, in a bipartisan way, thinks ought to be explored.

Mr. SIMPSON. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Idaho.

Mr. SIMPSON. I would say that I think the gentleman has stated the case as it is. It is an earmark, and that's a whole other story we can talk about.

But I agree with what the gentlelady is trying to do here. And I will tell you that both the ranking member and I will work with the gentlelady from the District of Columbia to try to resolve this in conference so that we can do what you're trying to accomplish here because I think it is important.

Mr. MORAN. The gentlelady is smiling, so I will accept her concurrence. We will move forward in that fashion if the gentlelady wouldn't mind withdrawing her amendment.

I yield back the balance of my time.

Ms. NORTON. I appreciate the remarks of the chairman and the ranking member. In light of those remarks and their generosity, I do withdraw my amendment and will work with them to try to implement it in other ways.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $49,500,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2013.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), $152,121,000, to remain available until expended.

AMENDMENT OFFERED BY MR. CARTER

Mr. CARTER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 8, after the dollar amount, insert ''(decreased by $1,000,000) (increased by $1,000,000)''.

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

Mr. CARTER. Madam Chairman, this is an amendment that was put together to ensure that the Interior Department prioritize its efforts to construct a joint law enforcement center in national parks and recreation areas along the southern border of the United States with available funds.

National Park lands on our southern border have experienced a gigantic increase in the amount of illegal activity that has crossed into our park lands. The reason for this is very similar to grabbing a bean bag and squeezing it; it always bulges out at some point. As we start tightening our southern border with a lot of the efforts that have been bipartisan efforts by this Congress, it causes the people who are wanting to have illegal activity to move farther and farther out into the rural areas and into the unoccupied areas, and they're moving into our national parks.

Joint law enforcement centers will be available to serve the National Park Service law enforcement agency, the United States Customs and Border Patrol, possibly even the Coast Guard when they're on the river at that border, and other Federal, State, or local law enforcement agencies as may be needed.

This is something that has been discussed; it has been agreed upon; it has been approved. Additional rangers and Border Patrol officers have been added to our border and been assigned and are being compensated for working down there, but they lack serious facilities within which to be able to operate.

One example is when we sent a group down to take a look at what other needs might be on our southern border, we ran across eight Border Patrol officers that were working in a temporary facility that was 288 square feet. This is absolutely inadequate. And if they were working in conjunction with the Park Service, there was no place for the Park Service to even stand in the building.

The purpose of this amendment is to dedicate $1 million to the National Park Service construction funds for FY 2012 to jump-start the interagency project already agreed upon between the Departments of Interior and Homeland Security. We are confident that with this shot in the arm we will be able to get these centers, as they may be available, constructed.

And it's not just a place for these folks to work; but if you take a look at most of our southern border from all the way across, you will see that, if there is no place to hold prisoners when they're captured doing illegal activities, then you have to transport them. In many instances, this transportation is 150 miles to a place where they can be secured. And these would also allow at least for temporary detention so that we wouldn't have Border Patrol officers running back and forth 150 miles every time there's a detention needed.

This is a facility that really will aid what we've already provided, which is personnel to help defend our southern border. It is budget neutral, and I would respectfully request that this be adopted.

Mr. SIMPSON. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Idaho.

Mr. SIMPSON. We are prepared on this side to accept the gentleman's amendment.

Mr. CARTER. Thank you, Mr. Chairman.

I yield back the balance of my time.

□ 2220

Mr. MORAN. Madam Chair, I move to strike the last word.

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

Mr. MORAN. I am not necessarily rising to oppose this, but to point out some deficiencies in the amendment itself. The claim is that the purpose of the amendment is to ensure that the National Park Service prioritizes its construction of law enforcement centers on national park lands, on the southern border in coordination with the Department of Homeland Security.

First of all, there is some feeling that national parks not have basically prison sites on them because what happens is that when people are rounded up by the Border Patrol, they are taken to these law enforcement centers and detained until they—I don't know whether they are adjudicated or not, but then eventually they are moved to another place. But they are temporarily detained at these law enforcement centers, and there is some feeling that national parks are not an appropriate location for that purpose.

But the very wording of the amendment doesn't really do that. It increases money, then it decreases the same amount of money. If it did it, it would be an earmark. And, of course, we don't do earmarks in this bill.

So as I say, I don't rise in opposition because I'm not sure what the amendment does, but I think it is helpful to be informed as to what it doesn't do.

Mr. CARTER. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman.

It is my understanding that this joint agreement, as we saw the acceleration of park rangers, and you're right, quite honestly, I don't think anywhere on the southern border people want illegal activity to be going on on our recreational areas, wherever they might be located. And nobody is trying to warehouse prisoners in a national park.

It is hard to envision this facility, but it would be a facility, I would assume, sort of like some of the facilities you see in other locations where people are operating out of it, but they have a temporary detention holding cell.

This would be strictly—and maybe I can explain it by pointing out one of the problems we have on the border with the transportation of our prisoners. And, in fact, one of the things that we used our National Guard for when we did have to transfer prisoners when they were working on the border, there always has to be someone having this prisoner in custody. Whatever the accused crime is, they have to be in custody.

When we had limited resources, we bumped them up. But they take a trained border patrolman whose duty it is to protect our border, if he's the only person available, and he has to transport that prisoner because there's no facility to temporarily hold him in. And when I say ''temporarily,'' it could be hours or maybe even minutes until someone can come along to help transport. If he's alone, then he has to transport him 150 miles. That's 3 hours that officer is off his post to make the transport.

So that's a little, tiny part for the purpose of this facility. This facility is really for a working space for those resources that we have already beefed up and put down on the border, and both Interior and Homeland have made agreements and really it is kind of just a kick to get them started. I believe we will see funding come from both sources to finish the project.

Mr. MORAN. Reclaiming my time, I understand that the gentleman wants to make that point. I understand the challenges that are faced in the area that he represents.

I was similarly confused, though, when there was a substantial amendment to strip funding for environmental mitigation between the Homeland Security and Interior Departments that the gentleman previously suggested and, I think, was successful in doing. So I don't know, it's not an area that I'm particularly familiar with. I am becoming more familiar with it; but, again, I'm not sure that this amendment does anything other than draw attention to the issue.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MICA

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

Mr. DICKS. Madam Chair, we don't have a copy of the gentleman's amendment, and it is usually the protocol to give one to the minority.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 8, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 65, line 19, after the dollar amount, insert ''(decreased by $2,000,000)''.

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

Mr. MICA. Thank you, Madam Chair, and I am sorry the minority didn't have a copy of this fine amendment. It was modified slightly from the original

submission to comply with the requirements of the Parliamentarian to be in order.

Let me say at this late hour I won't take too much time. I am from the authorizing side, and it's always good to come here and hear the difficulties that the appropriators have in trying to make choices, and tonight is about making choices.

I do have to compliment Mr. SIMPSON, the chair of the subcommittee; Mr. HASTINGS, the chair of the full committee; and the ranking members, Mr. MORAN and Mr. DICKS, for their efforts, being up late at night and making these difficult choices in some very tough economic times.

Normally, I wouldn't come here and tell you what to do; but, again, coming from a State that has some 11 parks and preserves and national monuments, I have a great interest in some of these accounts.

Now, we all have to set priorities; and as I said, these are difficult times. The Department of the Interior, I noticed, had, I guess, in 2010 just under $11 billion that's being cut to $9.8 billion, a 7 percent reduction. People ask me about transportation projects. Whether it is FAA, on transportation, I'm reducing some of the accounts by 30 percent in authorization, so I know the difficulty you're facing.

Now, I also looked at some of the other accounts here. EPA, I think folks would be shocked to find EPA has $7.1 billion in this bill. That's quite a bit to operate that agency. Well, the National Park Service has $2.5 billion. I think if you ask people on the street where would you put the dollars, I think they would like to see something very tangible. They appreciate their national parks. And, again, you have difficult priorities.

My amendment is simple. It takes $2 million out of EPA's account for management programs, and it transfers it to the National Park Construction Account.

Now, this is not going to resolve a $10 billion backlog in maintenance and construction projects. I can give you examples. Just a few miles from here, Harpers Ferry, they have a $59 million deferred maintenance account pending. Florida, with its 11 parks and preserves and national monuments, has a $4 million backlog. And, again, my amendment won't solve even Florida's problem.

□ 2230

Even closer to home in my district—and I want to thank again the chairman of the committee and the chairman of the subcommittee and staff for working with me—we are attempting, after authorization in 2004, to finally finish a visitors center. I want to make certain that the Castillo San Marco Visitor Center and the backlog of some of Florida's 11 parks and national monuments, their maintenance and some of their construction costs, that we have those funds available. So that's why I offered this amendment.

Again, I know you have difficult choices. This won't resolve the pending needs either in the State of Florida or nationally. That being said, and also stating my position and intent, and knowing that the committee and I know Mr. SIMPSON is anxious to work with me and is committed to work with me, Mr. HASTINGS and staff, and in the interest of time and also not pressing the issue beyond my ability to retain my friendship and strong working relationship, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2012 by 16 U.S.C. 460l–10a is hereby rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $18,294,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $2,794,000 is for the State assistance program and of which $2,000,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under section 204 of title 23, United States Code. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,053,552,000, to remain available until September 30, 2013, of which $65,561,000 shall be available only for cooperation with States or municipalities for water resources investigations: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey (USGS) such sums as are necessary shall be available for reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the USGS duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for minerals leasing and environmental studies and regulation of industry operations, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; for energy-related or other authorized marine-related purposes on the Outer Continental Shelf; and for matching grants or cooperative agreements, $138,605,000, to remain available until September 30, 2013; and an amount not to exceed $160,163,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, and from cost recovery fees: *Provided*, That notwithstanding 31 U.S.C. 3302, in fiscal year 2012, such amounts as are assessed under 31 U.S.C. 9701 shall be collected and credited to this account and

shall be available until expended for necessary expenses: *Provided further*, That to the extent $160,163,000 in addition to receipts are not realized from the sources of receipts stated above, the amount needed to reach $160,163,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That for fiscal year 2012 and each fiscal year thereafter, the term ''qualified Outer Continental Shelf revenues'', as defined in section 102(9)(A) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. note), shall include only the portion of rental revenues that would have been collected at the rental rates in effect before August 5, 1993: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

For an additional amount, $10,000,000, to remain available until expended: *Provided*, That section 115 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88; 123 Stat. 2928) shall apply for fiscal year 2012, and in such application ''2012'' shall be substituted for ''2010'': *Provided further*, That such amount shall be derived from receipts resulting from such application: *Provided further*, That to the extent that such amount is not received by the United States as a result of such application, the amount needed to reach $10,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,923,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $123,050,000, to remain available until September 30, 2013: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: *Provided further*, That, in fiscal year 2012, up to $40,000 collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than $123,010,000: *Provided further*, That, in subsequent fiscal years, all amounts collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $27,443,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $2,333,690,000, to remain available until September 30, 2013, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; and of which not to exceed $74,911,000 shall be for welfare assistance payments, except that, in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster; and of which, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $228,000,000 shall be available for payments for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau of Indian Affairs prior to or during fiscal year 2012, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed $584,369,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2012, and shall remain available until September 30, 2013; and of which not to exceed $48,049,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $46,373,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2011 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for administrative cost grants shall be available for the transitional costs of initial administrative cost grants to grantees that assume operation on or after July 1, 2011, of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2013, may be transferred during fiscal year 2014 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2014: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $154,992,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of such title; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian

land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 108–447, and 111–11, and for implementation of other land and water rights settlements, $32,855,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $8,114,000, of which not to exceed $964,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $85,242,280.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the Revolving Fund for Loans Liquidating Account, Indian Loan Guaranty and Insurance Fund Liquidating Account, Indian Guaranteed Loan Financing Account, Indian Direct Loan Financing Account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995, except that any school or school program that was closed and removed from the Bureau school system between 1951 and 1972, and its respective tribe's relationship with the Federal Government was terminated, shall be reinstated to the Bureau system and supported at a level based on its grade structure and average student enrollment for the 2009–2010, 2010–2011 and 2011–2012 school years. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, lines 2 through 10, strike ''Funds made available'' and all that follows through ''that period, but'' and insert ''A charter school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)) may operate''.

Mr. DICKS. Madam Chair, I reserve a point of order.

The Acting CHAIR. The gentleman's point of order is reserved.

The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Madam Chair, I rise in support of my amendment. As currently written, the Department of Interior appropriations bill states that education ''funds made available under this Act may not be used to establish a charter school at a Bureau-funded school.'' My amendment would allow money appropriated under this bill to be used for charter schools. Now, the bill grandfathers in charter schools funded prior to 1999, but bars no new charter schools. The committee report is silent on this.

As of the 2005 census, children made up 1.4 million of the total of American Indian and Alaskan Native populations. They, and their parents, deserve educational choices. Charter schools are semi-independent schools usually within a State's public education system that are designed and operated by educators, parents, community leaders, educational entrepreneurs, and others. As of 2006, a total of 40 States and the District of Columbia have passed charter school laws allowing this type of school to be part of their system. I see no reason to deny this opportunity to American Indians.

I believe administrators of such schools may worry about administrative issues in terms of accounting for students who transfer between a charter school and a noncharter school and the moneys that are appropriated. This is sometimes referred to as the ''ownership'' of the student. But such administrative concerns should not be a basis to completely abandon this option. Competent administrators at the BIA, the tribes, and the State educational associations can work out the transitional issues.

Further, to the extent someone does not like charter schools, so be it. Don't send your child to one. But we in Congress should not be picking winners and losers. Charter schools should be an available choice to those tribes that want them. If a tribe chooses not to offer a charter school approach, that is its decision. But another tribe may do so on its own. There's no reason in this appropriation bill to foreclose this option. We should not impose our personal likes and dislikes on others.

It is my further belief that allowing the tribes the maximum ability to choose the best educational program is consistent with self-determination. Having the right to decide local school decisions is a part of self-determination, and I don't see why we in Congress should deny that right. A key part of self-determination is choosing the manner in which the tribes educate their children. As far back as 1970, President Nixon addressed this issue that was then emerging, and stated: ''It is long past time that the Indian policies of the Federal Government begin to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.''

□ 2240

Indeed, that is what Congress did when it passed the Indian Self-Determination and Education Assistance Act of 1975. Allowing the tribes to choose a charter school option makes sense from a self-determination perspective.

Finally, according to the Center for Education Reform, there are over 5,000 charter schools nationwide. There are examples of charter schools with spectacular successes and results. I'm sure there are some charter schools that have failed in their mission. The point here, however, is about choice and allowing the tribes to decide what educational opportunities they want to create.

It is well-known that charter schools are schools of choice. Unlike traditional public schools, students may choose to attend charter schools, and if those students determine that the school is not serving their needs, they may choose to leave. It is true that many charter schools typically have longer schooldays, longer school years and higher academic and behavioral expectations for their students. For those

concerned about the current public educational system, these trends should be encouraged, but let's allow the tribes to make that choice.

It is Congress' duty to describe and allow such choices as part of its oversight and application of our treaties with which American Indian tribal relations are governed. I ask for support of this amendment and support for Indian self-determination and school choice.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. Madam Chair, we don't have any problem with this amendment. This is kind of new territory in our bill, but I appreciate the gentleman from Arizona's work on this and his interest in providing quality education for our Native American brothers and sisters all across this country. It's a deep concern that I share also, and I look forward to working with him to make sure that this does what is intended and that it provides what is necessary for our Indian population so that they have the advantages that all of us have. I thank the gentleman for offering the amendment.

I yield back the balance of my time.

The Acting CHAIR. Does the gentleman from Washington wish to continue to reserve his point of order?

Mr. DICKS. I withdraw my point of order, but would like to ask a question of the gentleman from Arizona.

The Acting CHAIR. The gentleman from Washington withdraws his point of order.

Mr. DICKS. I move to strike the requisite number of words.

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

Mr. DICKS. In your amendment, it says:

funds made available and all that follows through that period—but—and insert a charter school as that term is defined in section 1141 of the Education Amendments of 1978.

Would you tell us what that definition is, please.

Mr. GOSAR. We were looking that up, my colleague from Washington. We don't have that on the laptop at this point of inquiry.

Mr. DICKS. So you have no idea what this amendment means?

Mr. GOSAR. It allows the option for choice of charter schools as defined as ''charters schools.''

Mr. DICKS. How do you know that if you don't know what the language is?

Mr. GOSAR. They were grandfathered in up to 1999, but no provisions were given for that detail past 1999.

Mr. DICKS. I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law, $250,151,000 to remain available until September 30, 2013; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,112,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $36,000,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That, for fiscal year 2012, up to $400,000 of the payments authorized by the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided further*, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: *Provided further*, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That, notwithstanding the provisions of section 35(b) of the Mineral Leasing Act, as amended (30 U.S.C. 191(b)), the Secretary shall deduct 2 percent from the amount payable to each State in fiscal year 2012 and deposit the amount deducted to miscellaneous receipts of the Treasury.

AMENDMENT OFFERED BY MR. DOLD

Mr. DOLD. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 12, after the dollar amount, insert ''(reduced by $24,700,000)''.

Page 65, line 19, after the dollar amount, insert ''(increased by $24,700,000)''.

Page 65, line 21, after the dollar amount, insert ''(increased by $24,700,000)''.

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

Mr. DOLD. Mr. Chairman, I rise today to restore funding to the Great Lakes Restoration Initiative. This important initiative received steep cuts in this year's Interior bill. My amendment would simply restore half of the funding that was cut.

This amendment is part of a two-step process to restore funding to the Great Lakes Restoration Initiative. This amendment transfers funds from the Departmental Offices account to the Environmental Programs and Management, and it would be accompanied by a subsequent amendment to increase this funding to the Great Lakes Restoration Initiative.

I do appreciate the support that the Appropriations Committee has shown the Great Lakes Restoration Initiative in the past, and I am thankful that it does remain a priority within the Geographic Programs account. However, I do believe it is vitally important to restore some funding so that we can continue to protect the Great Lakes.

The Great Lakes are truly a shared national treasure. As the largest group of freshwater lakes on Earth, they hold 95 percent of the United States surface freshwater and are a source of clean drinking water to over 30 million people. From the beautiful beaches and wide open waters to the bluffs and dunes, the Great Lakes provide a wide array of recreational opportunities and are an important part of the physical landscape and cultural heritage of North America. Furthermore, the Great Lakes provide transportation for raw materials and finished goods, all of which create jobs and contribute to a stronger economy.

The Great Lakes Restoration Initiative is an important part of restoring the health and vitality of our Great Lakes. Certainly, in my district—the 10th District of Illinois—we want to make sure that the Great Lakes are taken care of and protected for future generations. However, the ecosystem is showing signs of serious stress, and action is now required to restore, rehabilitate and make our Great Lakes better. As a scoutmaster, I teach the Boy Scouts the principles of leaving areas better than when we found them.

The Great Lakes Restoration Initiative is an important avenue by which to clean up our lakes and restore them to their natural beauty so that they can remain the crown jewel for generations to come; but in order to preserve our Great Lakes, we need the Great Lakes Restoration Initiative to help tackle the challenges facing this natural treasure.

First, toxic substances are polluting the water, and this initiative helps with cleanup and pollution prevention. Also, invasive species are causing severe ecological stress on the lakes, and the initiative institutes a zero tolerance policy so that species such as the Asian carp cannot become fully established in the Great Lakes. Third, we must ensure that the pollution does not impair water quality. Finally, the Great Lakes Restoration Initiative works to restore degraded wetlands and wildlife habitats.

Earlier this year, I, along with Congressman LIPINSKI, introduced the Great Lakes Water Protection Act, which would protect Lake Michigan and the rest of the Great Lakes from wastewater discharges by prohibiting

publicly owned treatment works from intentionally diverting wastewater systems to bypass any portion of the treatment facility.

This is just one more step my colleagues and I in the Great Lakes region are taking to fight for the protection of our lakes. Yet, despite all of these concerns, the current recommendation for this critical initiative is just over half of what it received in fiscal year 2010, and is $49.4 million below the fiscal year 2011 enacted level.

I do appreciate the hard work that the Appropriations Committee has been tasked with, and I fully support the committee's efforts to be fiscally responsible—to rein in Federal spending and to make sure that we are funding our Nation's priorities. That is why my amendment only seeks to restore half of the roughly $50 million cut that the Great Lakes Restoration Initiative received in this year's Interior bill.

I do believe that the Great Lakes are at risk, and we must restore funding so that the Great Lakes Restoration Initiative can work to protect our natural resources for our children and our grandchildren for decades to come.

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

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. I thank the gentleman for offering his amendment.

We had to make some tough decisions with this bill. Some of them were with the money that we spent in the Geographic Programs. I believe every geographic program had reduced funding in this bill. Last year, they were funded at $300 million. I think the President requested $350 million for the Great Lakes geographic program, and we funded it at $250 million.

While I appreciate what the gentleman is trying to do with his amendment—and I thank him for offering it—the fact is we just don't have that kind of money. The offset of this is $24 million out of the Secretary's account, and we earlier took $20 million out of it. I don't believe the Secretary is sleeping very well tonight.

□ 2250

Pretty soon he won't have any money left in his office, as a matter of fact. So that is a problem.

It's not what the gentleman is trying to do. I fully support what the gentleman is trying to do. It's the offset and trying to get the $20 million out of the Secretary's account which causes the problem for me. And I would hope that my colleagues would reject this amendment as we work on trying to make sure that we, in conference, can do what's necessary to fund those programs that do protect the Great Lakes, the Puget Sound, the Chesapeake Bay, Long Island Sound, San Francisco Bay, some of the other great water bodies in this country.

I appreciate the gentleman's amendment, but I have to rise in opposition to it.

I yield back the balance of my time.

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

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

Mr. DOLD. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 44 OFFERED BY MR. REED

Mr. REED. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 12, insert after the dollar amount the following: ''(reduced by $8,291,000)''.

Page 76, line 2, insert after the dollar amount the following: ''(increased by $8,291,000)''.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. REED. I offer this amendment with my colleague from Oklahoma (Mr. BOREN).

This a bipartisan amendment to this appropriations bill with the intent to return funding for the Forest Health Management Account, under State and private forestry.

What we're intending to do with our proposed amendment is to move money from the D.C. bureaucracy, and I anticipate there will be a concern raised about the offset of the line that we're using to cover this increase in the Forest Health Management account from the Secretary's account.

But I firmly do believe that our taxpayer dollars are better spent not on the bureaucracy of the Secretary's office here in Washington, D.C., but more importantly on the front lines and into the States that can benefit from these programs.

This program that we're trying to take care of with this amendment is to restore the funding for the purposes of weeding out invasive species which threaten many industries and our environment across the Nation.

Essentially, invasive species threaten natural habitats, economies, and environments in every State and essentially every district that we represent. The work done by the Forest Service in education, outreach, and on-the-ground action is imperative to the prevention and early detection of nonnative invasive species.

By way of just one example that we deal with in our district, in the New York 29th Congressional District is the emerald ash borer beetle which can kill an ash tree within 5 years, decimating forests across the States and across our district. This pest and other insects have caused disruption on local economies and on job producers nationwide. Research estimates that we have reviewed at our office indicate that replacement and treatment of affected ash trees could total $10 billion over the next decade should this pest continue to spread.

This is just one pest of many that the U.S. Forest Service is seeking to maintain and address so that Federal and State funds are not diverted from other meaningful initiatives.

Working with individual States on invasive species control, the Forest Health Management programs are part of a collaborative effort to protect forest and grasslands where their efforts can be most effective—in the field on the front line rather than here behind a desk in Washington, D.C.

The benefit of placing Federal funds into action on the front lines, therefore, far outweighs the use of those funds to bloat the Federal bureaucracy. And, therefore, I ask my colleagues to support the amendment and join in this bipartisan effort, with all due respect to the chairman of the appropriations process that is making some very difficult decisions in this day and age.

But I just want to highlight this issue, and I do truly believe that through a bipartisan issue we can get money from D.C. into the fields and deal with the issue of invasive species that threaten economies and industry across the Nation.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. I appreciate the gentleman from New York's observation that we are working with some very difficult numbers, and he's absolutely right. And this is an account, frankly, that I think is important. The invasive species and trying to control invasive species across this country is of high importance. It's as of high importance in Idaho as it is in New York and other places across the country. But as the gentleman noted, the concern is the offset.

While we actually treated this account better than most other accounts within this budget, we actually only reduced it by 2½ percent. Some other accounts, EPA's account is down 18 percent, and some other things. Most accounts received substantially less funding. And where you're taking this money from, as I said on the last amendment, the Office of the Secretary is funded in this bill $33½ million below the budget's request. That was before we took out another $20 million in an earlier amendment to put it into the Land and Water Conservation Fund. So now we're doing $53½ million. We add this to it and we are going to be down $62 million.

Sometimes these, what appear to be small amounts, add up. If we're going to have a Secretary's office that actually functions, we have to keep enough resources there so that he can do his job.

And while I appreciate what the gentleman is trying to do, I sympathize

with what he's trying to do and support the effort of what he's trying to do. The fact that the offset affects an account that we have substantially reduced already is a problem, so I would oppose the amendment.

I yield back the balance of my time.

Mr. MORAN. I move to strike the last word.

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

Mr. MORAN. I rise to agree with the chairman of the appropriations subcommittee just as I did with the last amendment.

The idea of a bloated bureaucracy, when you've taken $53 million out of the Secretary's office, it seems to me, is misplaced where we're talking about giving the Office of the Secretary of the Interior far more responsibility. And now, at every opportunity, we seem to be cutting the resources that are necessary to fulfill those responsibilities. Already tonight we've taken $20 million from the Office of the Secretary's account.

So just as I did with the prior amendment, I would also agree with the chairman's comments and associate myself with them. So I won't take any more of the body's time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. REED).

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

Mr. REED. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 12, after the dollar amount, insert ''(decreased by $420,000)''.

Page 158, line 25, after the dollar amount, insert ''(increased by $420,000)''.

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

Mr. SCALISE. Madam Chair, the amendment that I bring would take $420,000 from the Secretary of the Interior's account and move it into the spending reduction account to reduce the Nation's deficit.

And the reason that we're doing this is that, over the last year since the Deepwater Horizon exploded, the administration came out with a policy not long after that imposed a moratorium on drilling, a moratorium that was found by Federal courts to be outside of the law. The administration unfortunately went forward with that moratorium, costing thousands of American jobs, hurting America's energy security.

But even after the lifting of the moratorium, they still maintain what they call a permitorium, a refusal to issue permits to explore in the Gulf of Mexico for American energy. Not only does it cost our Nation tens of thousands of jobs, but it also costs us energy security where now we're even more dependent on Middle Eastern countries for oil. It's led to higher prices of gasoline at the pumps. It's had devastating impacts. Yet there's been no accountability to the administration for their policies that have led to this destruction of our economic well-being and our energy security as it relates to American energy, and especially as it relates to jobs in the Gulf of Mexico.

□ 2300

Now, if you really want to get down to the details of this amendment, one of the things we've said for a long time is, a lot of these companies, these big employers that have been out there for a long time exploring safely for American energy, they want to continue to be able to explore for American energy; and they want to go back to work; but they haven't been allowed to because of administration policies.

But what's more absurd is that while the administration has had this permitorium, where they won't let people go back to work, they have also allowed the clock to continue ticking on the permits and on the leases. And you've got a finite amount of time for a lease; you've got a 10-year period of time. And if the administration is saying you can't properly develop your lease—now it would be one thing if they said, we're going to stop the clock while we, as an administration, go forward with this radical policy. But all outside experts have said is that it has nothing to do with safety, and it is hurting not only American energy production but American jobs.

But what the administration said is they're going to continue to let the clock run. It's like if you are playing a basketball game and the referee is holding the ball, and the clock's still running. You are sitting there saying, look, I just want the ball. I want to be able to go out and play by the rules, and the referee is holding the ball while the clock continues to run. That's just not fair. And yet the administration continues to do this.

This House, Madam Chair, passed legislation, H.R. 1229. It's called the Putting the Gulf of Mexico Back to Work Act. This legislation that we passed here in this House with a bipartisan vote, sent it over to the Senate—they still haven't taken action in the Senate—but what this legislation did, among other things, is it addressed that problem and said, If this administration is going to tell responsible companies who are trying to go back to work, who are trying to do the right thing—if the administration is going to tell them that they're not allowed to play by their own rules, then the clock stops while the administration denies them the ability to be permitted.

So the legislation that we passed addressed this. But the Senate, for whatever reason, refuses to take that up; again, costing our country thousands of good, high-paying jobs and hurting America's energy security, making us more dependent on Middle Eastern oil.

What we're saying with this amendment is: if this administration wants to continue going forward with that radical policy, which a majority of the President's own hand-picked scientists in his report right after the explosion of the Horizon said is irresponsible to do, that would actually reduce safety by denying permits, by having this moratorium, and now permitorium, then there has to be accountability. We have to hold this administration accountable for their actions.

And the $420,000 number in this bill that we're setting aside and putting into the deficit reduction account was gathered by looking at the number of leases that expire at the end of this year. There are 350 leases that will expire at the end of this year, not through any fault of those companies that are out there trying to explore for American energy, but because the administration won't let them play by the rules.

So if they're going to be irresponsible with their policies, there has to be a price to pay. There has to be accountability that the American people say, You're not going to use taxpayer money to deny American jobs, to deny American energy, and make our country more dependent on Middle Eastern oil and make our country continue to have to pay these higher prices at the pump.

It's their policies that have done it, and it's clear, and everybody understands that. People in the Gulf of Mexico recognize that. But there has been no accountability by this Congress, and so that's what this legislation is intended to do. This amendment will address that problem. I urge its adoption.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. Madam Chairman, I reluctantly rise in opposition to the amendment. I understand what the gentleman is saying. I agree with what he's saying. I think the Members have a concern that we are not allowing these oil companies to go out after the permits, and we're trying to send a message to the Secretary. I understand that, and I don't have a problem with sending a message.

The problem is—and this is a little bit of inside baseball, I guess, to talk about it this way—the problem is that under the rules we have, you can reduce an account by a certain amount and put that money in the budget reserve account which then reduces the allocation that the committee has to spend. He takes the $420,000, I think it is, out of the Office of the Secretary and reduces our allocation by that much.

And as Members have heard that have listened to this debate, there are both Republicans and Democrats that are concerned about some of the funding allocations in this bill of the various accounts. People want to put more money into the Land and Water Conservation Fund. People want to put more money, as the last amendment did, into the invasive species program, taking care of invasive species. If you go throughout, there are Members on both sides of the aisle that believe that various accounts are funded at too low of a level. So to take this money and put it into the budget reserve account and take it out of the Interior appropriations bill means that that is money that could go into another account.

Now, this bill comes to the floor under the budget resolution that was passed by the House under the 302(a) and the 302(b) cap, the allocation that was given to this committee. It's a tough allocation, but we've made those tough decisions, and I don't like to see money to send a message to the Secretary, money taken out of his account and put into the budget reserve account when there are other accounts within the appropriation that could obviously use the funds.

So if we weren't putting it into the budget reserve account, I don't have a problem with the message you are trying to send. I appreciate what the gentleman is trying to do, but I would reluctantly have to oppose the amendment.

I yield back the balance of my time.

Mr. MORAN. I move to strike the last word, Madam Chair.

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

Mr. MORAN. I agree with the chairman of the committee again that this amendment should be opposed. But I would also mention that I don't know how fast the administration could issue drilling permits in the Gulf of Mexico that would be fast enough. It's as though Deepwater Horizon never happened. When it did happen, people died. The ecology of the gulf area was severely and adversely affected. The economy was devastated. And we did a complete investigation and found that it was largely because the Minerals Management Service was not doing its job, that they were issuing permits too quickly without adequate review. Sometimes they were just letting permit forms be filled out by the oil companies themselves. Sometimes they had already made arrangements to go to work for the oil companies.

But for whatever reason, the fact is that they weren't doing their job. They were letting down the American public. They were letting down the workers on the drilling rigs. And they certainly contributed to a despoiling of the environment, the ecology of the gulf. So this Congress, both sides having been severely critical of the Minerals Management Service, reorganized it and instructed it to be very careful, at least much more careful than they had been in the past in terms of issuing drilling permits. That's what they're doing.

Now, there have been any number of drilling permits issued. They're being issued so fast, we don't have an exact number right now; but we know a lot have been issued. Again, I doubt that whatever the number was that it would be enough for Members that represent areas in the gulf to benefit from more drilling activity. But the American public—this is a democracy, the majority of the American public, whatever State they're in—wants the Secretary of the Interior to have a process that reflects integrity, that reflects caution, that puts the safety of workers and the protection of the environment first.

So the Secretary is doing his job. We support the job he's doing. We know he's issuing a lot of permits, and we agree with the chairman that this amendment should be defeated.

I yield back the balance of my time.

Mr. SCALISE. Madam Chair, I ask unanimous consent to modify the amendment with the modification I have placed at the desk.

□ 2310

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. SCALISE:

Strike the second instruction

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Is there any further debate on the amendment?

Mr. MORAN. I move to strike the last word.

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

Mr. MORAN. Madam Chairwoman, this is a distinction without a difference. The money still goes away. The argument that was made by the chairman of the committee still stands, as far as I can see. And so even though the amendment may be worded a little differently, the reality is that the money is lost. And we don't see that this would be a constructive amendment anyway, so we would oppose it.

Mr. SCALISE. Will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Louisiana.

Mr. SCALISE. What the amendment, as it's now revised, would do is it would still reduce the $420,000. It wouldn't go to the Spending Reduction Account; it would stay within the department, and I think that addresses one of the concerns that the chairman had.

But it would still make it clear that there's going to have to be accountability for those people who have played by the rules who are being penalized today. There's got to be some accountability and, in this case, there would be the ability for us to not only send a message but a message attached to a spending reduction in the Secretary's department, that he can't just deny people the ability to go back to work who are playing by the rules.

Mr. MORAN. Reclaiming my time, I don't know this business about playing by the rules and punishing people who don't. It seems to me that the Interior Department is trying to play by the rules that the Congress instructed it to play by.

But, notwithstanding that, when you remove $420,000 from the bill, don't know where it goes, I think you lose it. So I don't think that this makes a difference.

What you're saying is that you're not going to put the $420,000 into this reduction account. What's the term of it? The Spending Reduction Account. That does away with the money.

But now what you're doing is basically taking it out of the bill, letting it fly away to who knows where, but the reality is it no longer exists. So it's coming out of the bill. And we don't think that's a good idea. We agree with the chairman that this amendment should be defeated.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE), as modified.

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

Mr. SCALISE. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 12, after the dollar amount, insert ''(decreased by $5,500,000)''.

Page 65, line 19, after the dollar amount, insert ''(increased by $5,000,000)''.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Madam Chair, we are in some tough times, but I believe it's important to have a structure in this government that provides oversight over the environment of this country. And however one may quarrel with regulations that may seem a little steep, the work of the Environmental Protection Agency is important. And as we stand here today, this legislation cuts the budget of the Environmental Protection Agency by 18 percent, in addition to a 16 percent cut in funding for

FY 2011. Thirty-four percent. This is unacceptable.

In order to protect the environment without harming industry, we must reach a compromise, instead of haphazardly slashing the EPA budget. These cuts purposely limit the EPA's ability to ensure that all Americans have access to drinking water that does not contain harmful pathogens and toxins that expose Americans to serious risk such as typhoid, hepatitis, cancer, and organ damage.

The assault on public health does not stop with the quality of our drinking water. This bill also takes drastic steps to weaken the Clean Air Act. A rider is attached that will prevent the EPA from implementing the Cross State Air Pollution Rule, a regulation that was implemented to protect the public from dangerous air pollution and prevent up to 34,000 premature deaths, 15,000 heart attacks, and 400,000 cases of aggregated asthma.

I've never seen an EPA director work as hard as Administrator Lisa Jackson. Although we have had some outstanding administrators, she has worked to work with Members across the aisle.

But these cuts reduce funding for the very programs that keep Americans, our constituents safe. And I cannot speak for my colleagues on the other side of the aisle, but I cannot afford to have these cuts impact the people of Houston and around the Nation.

Since 1999, Houston has exchanged titles with Los Angeles for the poorest air quality in the Nation. And so it is important that we find a way to increase the funding for the EPA. And as this bill makes its way through the floor, I am continuing to work to do so. And I start first with this effort. And I ask my colleagues to support this amendment.

Let me explain to you about the Old Acres Home Citizens Council. This is a historic African American community located in Houston, Texas. The Council partnered with the University of Texas to conduct a study to assess the community's health risk. It was determined that a local landfill could be the cause for the community's health-related problems, enormous cancer in that area.

As a result of the study, the Council was awarded a $20,000 grant from the EPA Justice Small Grants Program, under the Comprehensive Environmental Response Compensation Liability Act, commonly known as the Superfund, which, obviously, it was in some years past to conduct tests to detect, assess, and evaluate the risk to human health from hazardous substances. The goal of these Small Grants Program evaluation projects was to investigate whether there were hazardous substances in the runoff from the adjacent landfill. This community needed those resources. The Council used the EPA grant funds to hire an EPA-approved environmental consultant to take soil and water samples from the backyards. The results of the sample analysis revealed high concentrations of toxic substances, many of which are harmful to humans.

Since 2002, the residents of Old Acres homes have observed water and substances seeping from the landfill into their back yards. This runoff collects into pools of standing water. Due to poor drainage, these standing pools became engorged and then flood, thereby increasing exposure of residences to potentially hazardous substances from the landfill.

This was the work of the EPA. It educated a poor community of seniors and others about the conditions of their neighborhood. This funding that takes away from EPA also takes away from the Clean Water State Revolving Fund and, of course, impacts communities like that of the Acres Home Community in the 18th Congressional District.

□ 2320

My friends, we cannot gamble with the safety of the American public, the cleanliness of air and water, the quality of the environment for future generations. We need to restore this funding, and I have made this effort to do so. I will continue to do so.

Since the debt limit was put in place, we have always paid America's bills. We fight today to raise the debt ceiling, but at the same time we're cutting away at America's safety and America's need for environmental protection. I ask my colleagues to support this amendment because it is the right thing to do. It is the right thing to do for Acres Home Community in Houston, Texas.

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

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. Madam Chairwoman, this is the same debate over again. We're taking money from the Office of the Secretary, which is down some $30-odd million, $33 million, I think it was, from the budget request of this year; then we've taken $20 million out of that already to put into the Land and Water Conservation Fund. This would take more money out of the Office of the Secretary.

It seems like every time somebody has an amendment that they want to offer to fund some program that they believe is important—and oftentimes they are important—the savings account that you get it from is the Office of the Secretary. Not only in this bill, but in other bills. We take it out of administration. That's always the easiest thing to do, but the fact is that the Office of the Secretary has taken a pretty good hit in this bill both during the markup and here on debate on the floor, and so I'm afraid I have to oppose this amendment because I think it hits an account that is already substantially lower than what was requested.

I would oppose the amendment.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. First of all, I didn't thank both you and the ranking member for a very tough task, and I think my overall intent was the need for increasing the funding in EPA.

As we make our way through this process, does the gentleman see, in the consultation with the other body, any opportunity to restore any of these funds to the EPA?

Mr. SIMPSON. I would have to say I don't know. I don't know what the Senate is doing, what their allocation is going to be. They have not passed a budget, so they have no 302(b) over there to work with. But certainly we realize that the EPA has taken the largest hit within this budget. A lot of that was due to the fact that they had the largest increases over the last couple of years. But certainly we will be looking at all of these accounts when we go into conference with the body across the Rotunda trying to come to a compromise that can pass both the House and the Senate.

Ms. JACKSON LEE of Texas. If the gentleman will yield again, I am going to continue to work on this issue. I know that we're going to take a vote on this. I, as they say, will come back again on the floor, because I think this is a very important issue.

I thank the gentleman for yielding to allow me to again express how important it is that the EPA be funded more fully than it has been.

Mr. SIMPSON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $82,558,000, of which: (1) $73,296,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,262,000 shall be available until September 30, 2013 for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used

by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,307,000, to remain available until expended, as provided for in sections 221(a)(2) of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $64,946,000.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Madam Chair, I have an amendment at the table.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 24, after the dollar amount, insert ''(decreased by $4,367,000)''.

Page 88, line 9, after the dollar amount, insert ''(increased by $4,367,000)''.

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

Mr. GOSAR. Thank you, Madam Chair.

As someone who has practiced chairside dentistry for 25 years, I know firsthand the profound value of oral health, particularly for children. Oral health care access early in life is shown to be a critical aspect of primary preventative care. This is especially true in the Native American community, which I am proud to serve as a Representative of Arizona, which has 21 federally recognized tribes.

For this reason, my amendment would transfer $4,367,000 from the Office of the Department of the Interior Solicitor General to the Indian Health Service. The committee report recommends $4,367,000 less than the President's request for dental health within IHS, and while the bill does not name dental health specifically, I would like to make it clear on this floor tonight that this reallocation of funds is explicitly intended to fund dental health programs within IHS at the level recommended by the administration.

The United States Government took on long ago a number of treaty obligations to our Native people, and health care was among them. In particular, I cannot state strongly enough how imperative it is that the Indian tribes have this effort in the area of oral health fully funded.

Believe it or not, the incidence of early childhood caries, or commonly understood tooth decay, occurs among the Native American and Native Alaskan populations at 300 percent the rate of the United States average. This is unacceptable; and, again, as someone who has practiced dentistry as long as I have, I can tell you that this epidemic will have dire consequences for these children throughout their lives.

Worse still, the severity of decay is substantially higher in these children compared to the population as a whole. Preschool Native children average more than five decayed teeth compared to one decayed tooth among U.S. preschool children of all races. In many Native communities, between 25 and 50 percent of preschool children have such extensive tooth decay that they require full mouth restoration under general anesthesia, compared to less than 1 percent for non-Native children.

We have an obligation to improve this sad state of affairs, and so I offer this amendment and encourage my colleagues on both sides of the aisle to support it for the sake of these Native children to whom we have an obligation.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word.

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

Mr. SIMPSON. Madam Chairwoman, you're going to hear from the entire Dental Caucus tonight. Congressman GOSAR from Arizona and myself are the two dentists that are in Congress, so it might not surprise you that I support the gentleman's amendment. I appreciate his sincere efforts to address the obligations, both trust obligations and treaty obligations, and moral obligations, that we have with our Indian brothers and sisters across this country.

One of the things I'm proudest of in this bill, as I said in my opening statement during general debate, was to be able to carry on the work that had been done by Chairman DICKS when he was chairman of the committee, Chairman MORAN when he was chairman of the committee, and now that I'm chairman of the committee, to meet those trust obligations that we have with our Indian brothers and sisters across this country.

One of the areas in this bill, one of the two areas, that actually got increased funding was Indian health services because we do have an obligation to meet these things. Dental decay is the most prevalent disease in the United States; and as the gentleman from Arizona said, it's 300 percent more likely in Native Americans than it is in the general population. That's unacceptable. We have to do something about it. It means that we have to meet the contract obligations that we have had.

There's a saying that's been said around the country that if you live in Indian Country, you need to get sick before June, because the contract support costs run out about that time. One thing we've made a concerted effort to do on a bipartisan basis is try to fund 100 percent of the contract support costs for Native Americans. We haven't reached that goal yet. I think in this bill we're about at 93 or 94 percent, something like that. The contract support in the BIA that does the police work and those types of things are fully funded. We are going to continue to work to make sure that we meet those obligations that I think we all as Americans have.

I appreciate the amendment offered by the gentleman from Arizona, and I truly appreciate his support for our Indian brothers and sisters.

I yield back the balance of my time.

□ 2330

Mr. MORAN. Madam Chair, I move to strike the last word.

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

Mr. MORAN. As I have said publicly and privately to the chairman of the Interior Appropriations Subcommittee, I congratulate him for taking the initiative and showing the commitment to the Indian Health Service by increasing it by $369 million this year. And dental health specifically is up by $13.8 million. That's above the existing level this year, and this year is above last year. Granted, the need is very substantial, and so I am very supportive.

The problem is that, with this amendment that adds another $4.3 million for the express purpose of increasing dental health further, it's the offset. The cut is to the solicitor of the Department that serves as the chief legal officer, and it's the solicitor that provides legal services to Native Americans on behalf of the Department. So you're taking the chief legal officer for the Native Americans of this country and making a substantial cut to the resources available for that position. It's kind of robbing Peter to pay Paul.

There are very substantial and serious legal issues that need to be dealt with on behalf of Indians throughout the country, and there are very difficult health issues that certainly need to be addressed. So I did not rise in opposition to the amendment, but I do think that taking the money from the solicitor is an unfortunate place to be finding a cut of $4.3 million.

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

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

The amendment was agreed to.

Mr. SIMPSON. Madam Chairman, I ask unanimous consent that the remainder of the bill through page 56, line 22 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of that portion of the bill is as follows:

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $48,493,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $152,319,000, to remain available until expended, of which not to exceed $31,171,000, from this or any other Act, shall be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Salaries and Expenses'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2012, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $574,072,000, to remain available until expended, of which not to exceed $6,137,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations: *Provided further*, That, before obligating any of the funds provided herein for wildland fire suppression, the Secretary of the Interior shall obligate all unobligated balances previously made available under this heading that, when appropriated, were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 and notify the Committees on Appropriations of the House of Representatives and the Senate in writing of the imminent need to begin obligating funds provided herein for wildland fire suppression: *Provided further*, That the Secretary of the Interior may transfer not more than $50,000,000 of the funds provided herein to the Secretary of Agriculture if the Secretaries determine that the transfer will enhance the efficiency or effectiveness of Federal wildland fire suppression activities.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $92,000,000, to remain available until expended: *Provided*, That such amounts are available only for transfer to the ''Wildland Fire Management'' account and only following a declaration by the Secretary that either (1) a wildland fire suppression event meets certain previously-established risk-based written criteria for significant complexity, severity, or threat posed by the fire or (2) funds in the ''Wildland Fire Management'' account will be exhausted within 30 days.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental

Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,149,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,763,000, to remain available until expended.

WORKING CAPITAL FUND

For the acquisition of a departmental financial and business management system, information technology improvements of general benefit to the Department, and consolidation of facilities and operations throughout the Department, $57,019,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' and ''FLAME Wildfire Suppression Reserve Fund'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2012. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

TWIN CITIES RESEARCH CENTER

SEC. 106. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by section 701 of Public Law 100–696 (16 U.S.C. 460zz).

PAYMENT OF FEES

SEC. 107. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Salazar to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Salazar.

EVERGLADES ECOSYSTEM RESTORATION

SEC. 108. This and any subsequent fiscal year, the National Park Service is authorized to implement modifications to the Tamiami Trail as described in, and in accordance with, the preferred alternative identified in the final environmental impact statement noticed in the Federal Register on December 14, 2010, (75 Fed. Reg. 77896), relating to restoration efforts of the Everglades ecosystem.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 109. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

INDIAN PROBATE JUDGES

SEC. 110. In fiscal year 2012 and each fiscal year thereafter, for the purpose of adjudicating Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 111. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may establish accounts and transfer funds among and between the offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.

AUTHORIZED USE OF INDIAN EDUCATION FUNDS

SEC. 112. Beginning July 1, 2008, any funds (including investments and interest earned, except for construction funds) held by a Public Law 100–297 grant or a Public Law 93–638 contract school shall, upon retrocession to or re-assumption by the Bureau of Indian Education, remain available to the Bureau of Indian Education for a period of 5 years from the date of retrocession or re-assumption for the benefit of the programs approved for the school on October 1, 1995.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 113. (a) Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c) (except that the 5 year term restriction in subsection (d) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

(b) During fiscal year 2012 and subsequent fiscal years, in carrying out work involving cooperation with any State or political subdivision thereof, the Bureau of Land Management may record obligations against accounts receivable from any such entities.

BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS

SEC. 114. (a)(1) Nothwithstanding section 586(c) of title 40, United States Code, the head of a Bureau-operated school is authorized to enter into agreements with public and private persons and entities that provide for such persons and entities to rent or lease the land or facilities of the school in exchange for a consideration (in the form of funds) that benefits the school, as determined by the head of the school when such rent or lease does not interfere with school operations.

(2) Funds received under paragraph (1) shall be retained by the school and used for school purposes otherwise authorized by law. Any funds received under paragraph (1) are hereby made available until expended for such purposes, notwithstanding section 3302 of title 31, United States Code.

(3) Nothing in this section shall be construed to allow for the diminishment of, or otherwise affect, the appropriation of funds to the budget accounts for the operation and maintenance of Bureau-operated schools. No funds shall be withheld from the distribution to the budget of any Bureau-operated school due to the receipt by the school of a benefit in accordance with this section.

(b) Notwithstanding any provision of title 5, United States Code, or any regulation promulgated under such title, education personnel who are under the direction and supervision of the Secretary of the Interior may participate in a fundraising activity for the benefit of a Bureau-operated school in an official capacity as part of their official duties. When participating in such an official capacity, the employee may use the employee's official title, position, and authority. Nothing in this subsection shall be construed to authorize participation in political activity (as such term is used in section 7324 of title 5, United States Code) otherwise prohibited by law.

(c) The Secretary of the Interior shall promulgate regulations to carry out this section not later than 12 months after the date of the enactment of this Act. Such regulations shall include—

(1) provisions for the establishment and administration of mechanisms for the acceptance of consideration for the use and benefit of a school in accordance with this section (including, in appropriate cases, the establishment and administration of trust funds);

(2) accountability standards to ensure ethical conduct; and

(3) provisions for monitoring the amount and terms of consideration received, the manner in which the consideration is used, and any results achieved by such use.

(d) Provisions of this section shall apply to fiscal year 2012 and subsequent fiscal years.

MASS MARKING OF SALMONIDS

SEC. 115. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOSAR) 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. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1383. An act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the end enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1103—An act to extend the term of the incumbent Director of the Federal Bureau of Investigation.

ADJOURNMENT

Mr. SIMPSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 27, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2605. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-8185] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2606. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Risk Based Capital Standards: Advanced Capital Adequacy Framework — Basel II; Establishment of a Risk-Based Capital Floor [Docket No.: -2010-0009] (RIN: 1557-AD33) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2607. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities; Disability and Rehabilitation Research Projects and Centers Program — Disability Rehabilitation Research Projects (DRRP) — Americans with Disabilities Act (ADA) National Networks Regional Centers (formerly the Disability Business Technical Assistance Centers (DBTACs), the ADA National Network Knowledge Translation Center, and the ADA National Network Collaborative Research Projects [CFDA Numbers: 84.133A-6, 84.133A-7, and 84.133A-8] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2608. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities; Disability and Rehabilitation Research Projects and Centers Program [CFDA Numbers: 84.133E-1 and 84.133E-3] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.