

on the impact of the failure of banks and report the results and any associated recommendations back to Congress.

This study would address, one, the effect of the FDIC's use of loss sharing agreements on relevant stakeholders, including banks that survive and borrowers of the failed IDI. Two, the significance that paper losses, including the extent to which they trigger IDI receiverships and the impact they have on raising more capital. Three, the success of field examiners in implementing the FDIC policies and procedures on commercial real estate workouts.

One of the things we find in our State of Georgia, one of the common characteristics that sort of held these banks separate was the overleverage, we shall say, of the portfolios in real estate and the housing bubble burst on us.

Four, the application and impact of consent orders and cease and desist orders, including whether such orders are used consistently across all types of banks, and also the application and impact of FDIC policies, particularly as they relate to a bank's ability to attract private capital. And then the FDIC's handling of potential investments by private equity companies in banks.

In H.R. 2056, as introduced, we received great bipartisan support and reception at a hearing that we recently had that my colleague from Georgia (Mr. WESTMORELAND) mentioned and the FDIC and the OCC are working with us on this bill. And the OCC has suggested that the FDIC Inspector General should consult with the OCC Inspectors General with respect to studied topics that pertain to banks that the OCC, which is the Office of the Comptroller of the Currency, directly supervisors and, of course, that same logic would argue for consultation with the Fed.

So subsequently, an amendment was adopted by voice vote in the full committee in the markup, requiring that the FDIC Inspector General consult with the Inspectors General of the Treasury, within which the OIG is housed, and the Fed. This amendment was passed by voice vote with strong bipartisan support to supplement the study factors regarding the loss sharing agreements. It added new study factors regarding appraisals and capital. It required the FDIC's Inspectors General to coordinate with the Treasury and the Fed's internal Inspectors General. And four, it added a new separate GAO study on bank failures to the report due 1 year after enactment. And I might add that both the FDIC as well as the OCC are supportive of this measure.

In conclusion, Mr. Speaker, this bill is very important for us not only in Georgia but across this country where we've had this rash of bank failures. It's important for us to learn and to know about the causes of the bank failures in the States that have been hard-

est hit, especially the issue of application and effect of consent orders and cease and desist orders, particularly where these orders have been enforced uniformly and fairly across all banks. This has been a concern from our banking community in Georgia.

□ 1910

While I know this bill alone will not solve our current banking crisis, I am confident it will provide Congress and regulators with valuable information that may prevent failures in the future and provide us with ways that the FDIC, that the OCC and the Fed, our banking regulators and examiners, can help our banks avoid bank failures.

If we're ever going to climb out of this terrible economic malaise that we're in and spark growth in our communities, it is the banks that must be stable. It is the banks that must be well-capitalized and able to lend to consumers and small businesses. And in particular, our small and community banks are the ones that will lead the way to our economic recovery, but only if they're able to work, hand-in-hand, with our Federal regulators and examiners to remain viable.

This bill is a small step, but it is a big step in the right direction in that respect, and I encourage all of my colleagues to support it.

I yield back the balance of my time. Mr. WESTMORELAND. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, our hope is that this will shed some light on these bank failures. We hope it will also shed light on why so many business people have come to all of us in this body to find out why they cannot get loans to promote job growth, to help expand their businesses. We need those answers.

We also need to make sure that this study will shed some light on what effects TARP and Loss-Share Agreements have had on our community banks. We also hope that it will shed light on why immediate write-downs are being demanded on our community banks when the loans are performing. People are paying their interest. They're meeting their renewal requirements, yet regulators are insisting that these loans be marked down. This has caused what I call a paper loss for a lot of these bankers that are then being made to ask to raise capital when they're under cease and desist orders.

So all of this does not work together. And, in fact, a lot of things that we have done in this previous Congress has caused the snowball to roll faster downhill.

I hope they'll look at the market to see what has happened and what is the effect of banks that have gotten TARP money and have come in and "fire sold" properties that have caused real property values to go down, not just for the banks, but for the people that have bought in there.

We need to find out why Loss-Share Agreements promote not modifying

loans, why they promote getting rid of some of these bad loans, why they promote a bank to be able to get rid of property when the government guarantees them 95 percent of their loss. What effect has that had on our community banks that didn't get the TARP, that have not been allowed to be in any of these Loss-Share Agreements?

These are answers that we're looking for.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and pass the bill, H.R. 2056, as amended.

The question was taken.

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

Mr. WESTMORELAND. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

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

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2584, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore (Mr. WESTMORELAND). 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.

□ 1915

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. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Monday,

July 25, 2011, the bill had been read through page 3, line 2.

The Clerk will read.

The Clerk read as follows:

In addition, \$32,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from \$6,500 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and in addition, \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2012 so as to result in a final appropriation estimated at not more than \$918,227,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 3, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 65, line 19, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 65, line 21, after the dollar amount, insert “(increased by \$10,000,000)”.

Mr. CLARKE of Michigan (during the reading). Mr. Chair, I ask that the reading be suspended.

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

There was no objection.

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

(Mr. CLARKE of Michigan asked and was given permission to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Chair, this amendment would move \$10 million from the Bureau of Land Management to the Environmental Protection Agency’s geographic programs under the Environmental Programs and Management account.

Here’s the bottom line, what this \$10 million is all about. It’s helping to save jobs connected to the \$7 billion Great Lakes fishing industry. This industry, and the jobs connected to it, are at stake, are at risk because of the Asian carp. So it’s my intention that the Environmental Protection Agency designate this additional \$10 million to the Great Lakes Restoration Initiative to stop the Asian carp from migrating into the Great Lakes.

Unfortunately, just last week, and this is the urgency of this situation, why I’m offering this amendment. Just last week, the Army Corps of Engineers found Asian carp DNA in Lake Michigan. This is deeply disturbing. We have to do everything in our power to stop the Asian carp from migrating to the

Great Lakes basin because of the \$7 billion industry that’s at stake.

These carp, they come and they eat all the food up in the ecosystem, and that leaves very little for the native fish. And the native fish is what people fish for in the Great Lakes.

So, again, I urge this body, for the sake of preserving the Great Lakes fishing industry, to allow this amendment. And again, it’s my intention that the additional \$10 million would go toward the Great Lakes Restoration Initiative, which right now is underfunded by \$100 million. So it’ll be some measurable improvement, and to have that money focus on preserving our Great Lakes fishing jobs by stopping the Asian carp.

I yield the balance of my time.

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

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in support of this amendment and strong opposition to this bill. The Interior appropriations bill that is before us today is a radical assault on public health, on clean air and clean water, and on our environment.

This bill wouldn’t create a single job. Instead of creating jobs and protecting the public health, this bill gives polluters and other special interests license to do just about anything that they want. This might be the single worst bill in this House for our public health and the environment since the days of Newt Gingrich and Tom DeLay.

□ 1920

In this bill, the House Republicans are undermining the Clean Water Act, creating loopholes in the Clean Air Act, and gutting the Endangered Species Act.

But that’s not all. This legislation makes it harder for our States and cities to improve their crumbling water and wastewater systems through the State clean water and drinking water revolving funds.

The legislation blocks the Environmental Protection Agency from protecting us from mercury, soot, and power plant pollution. Under this bill, the EPA will hardly be allowed to do anything about dangerous pollution that threatens our public health.

The legislation blocks the new vehicle standards that will save consumers at the gas pump and would reduce the amount of oil that we import as a Nation. If that wasn’t bad enough, the bill decides to prohibit the State of California from setting its own clean vehicle standards.

The legislation also includes an “extinction rider,” one of the most aggressive threats to the Endangered Species Act in my career here that would freeze all of the efforts to protect imperiled species across the country.

One of the most offensive aspects of this bill, out of a very long list, is the

80 percent cut to the Land and Water Conservation Fund. For nearly 50 years, the Land and Water Conservation Fund has taken oil and gas drilling fields, a finite resource, to invest them in a continuing protection of our resources on land, not taxpayer dollars—these are taken from the oil companies that drill in the offshore—and they use that money to preserve the national parks, the wildlife habitat, trails, and working ranches and forests.

With this cut, Republicans are breaking the decades-long promise that has been a bipartisan consensus across this country, the promise that we will use these oil and gas royalties to protect important American places for future generations.

Outside of the Republican Conference in the House of Representatives, I don’t know anyone in this country who wants to end our commitment to use these fees on Big Oil to protect our parks and recreation areas. These are our public lands. These are the lands that America’s families use every summer, use at different seasons and different parts of the country all of the time. These are the public spaces that make us the envy of the rest of the world. These are the public systems that countries from all over the world send people to understand how did we save them, how do we protect them, how do we manage them. We set the standard for the world. As it was said earlier, one of America’s best ideas. But now all of that is threatened under the cut to these funds for the Land and Water Conservation Fund.

Mr. Chairman, these are a few of my reasons; but there are many, many more why I would strongly oppose this legislation and the very bad, bad ideas that it contains. I would hope that this Congress would reject this legislation out of hand.

I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chairman, I appreciate what the gentleman is trying to do. This amendment would limit the BLM from spending \$10 million in offsetting collections for oil and gas fees and put the funding into the EPA’s geographic programs. I understand what he’s trying to do, and I’m sympathetic with what he’s trying to do.

I’m not necessarily opposed to increasing this program, and we recognize the challenge of the Asian carp in the Great Lakes. We have many invasive species in Idaho, so I certainly understand where the gentleman is coming from and the challenges that they face.

With that said, we worked hard to balance funding in this bill. We already funded invasive species in the Great Lakes at \$43 million, and the total for Great Lakes geographic programs is \$250 million. It makes little sense to

take funds from offsetting collections for the cost to administer the oil and gas programs. In other words, these programs are paid for by the industry, not by the taxpayers.

So while I don't necessarily oppose what the gentleman is trying to do, it's the offset that the gentleman has created to put the \$10 million in there. We've tried to create a balance between these different programs with limited funding. I think we've done a good job in the Great Lakes, the best we could in this bill; and I would oppose the amendment and ask my Members to oppose the amendment.

Mr. CLARKE of Michigan. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Michigan.

Mr. CLARKE of Michigan. Thank you, sir. I appreciate it.

I do have a newspaper article that does state that the oil and gas industry does hold around 7,200 drilling permits that haven't been used yet, but I do take the gentleman's point into consideration, if there is a way that we could work out something, because I'm not trying to undercut the drilling program at all here.

I did notice in fiscal year 2012 that there was a surplus in terms of what we funded, which was around \$45 million; in terms of the collections that were received, there was around \$27 million. So there was around an \$18 million overfunding there. That's why I did ask for this offset, because I felt it would be responsible and would not undercut the drilling permit program here.

Mr. SIMPSON. Reclaiming my time, I appreciate what the gentleman is trying to do. As I said, we do have some concerns with the offsets, but I am more than willing once this bill goes to conference in whatever form, depending on the outcome of this amendment, obviously, to work with the gentleman to see what we can do with the geographical programs, not just the Great Lakes programs, but there are both Republicans and Democrats that care about the geographical programs.

We've tried to do the best we could there, but there are other geographical programs that the gentleman from Washington (Mr. DICKS) is concerned about and that the gentleman from Virginia (Mr. MORAN) is also concerned about. We will work with the gentleman in conference in trying to address the concerns expressed by the gentleman.

Mr. CLARKE of Michigan. I offer this amendment for what's at stake. The Great Lakes fishing industry is a \$7 billion industry, and right now metro Detroit and the State of Michigan are in very hard-hit economic times by our industrial base being eviscerated. The one saving grace in our State and in that region is the fishing industry. That's the reason why I'm asking for this right now. It's emergency action. We found Asian carp DNA in Lake Michigan last week. I've got to do everything in my power as a Representa-

tive of not only Michigan but of that entire region to stop that carp from getting into the Great Lakes system, which would destroy our fishing industry. I urge your help.

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

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

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

Mr. CLARKE of Michigan. 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.

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

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

Mr. MARKEY. Mr. Chairman, in the underlying bill, the majority has underfunded the Interior Department agency charged with issuing new drilling permits and ensuring that offshore drilling is safe. The underlying bill would underfund the Bureau of Ocean Energy Management, Regulation and Enforcement—BOEMRE is what it's called—by nearly \$35 million. This is the agency that is charged with the responsibility of ensuring that we drill safely off the coastline of the United States.

At our very recent hearing, the director of that agency, Michael Bromwich, said that underfunding this agency, as the majority, the Republicans, have done in this bill, would slow down new offshore drilling permits and make offshore drilling less safe. That is unacceptable.

Unfortunately, the rule the majority adopted has protected the underlying provision limiting the inspection fees paid by the oil and gas industry from a point of order, and now the Republicans will not allow the House to work its will on the amendment that I have drafted with the gentleman from New Jersey (Mr. HOLT) and the gentlelady from California (Mrs. CAPPs).

Our amendment would have fully funded this safety agency by increasing the inspection fees on the oil and gas industry. The top five oil and gas companies made \$35 billion in profits just in the first 3 months of this year. This week, they will likely report similar profits for the second quarter. In fact, earlier today, BP reported quarterly profits of \$5.6 billion. That's just for the last 3 months.

□ 1930

Yet the industry as a whole pays just \$10 million a year in inspection fees for offshore drilling, and the Republicans are putting it offshore today from any consideration by the Members of this body.

So our amendment would have, if the Republicans had allowed us, imple-

mented a key recommendation from the independent BP spill commission. The BP commission recommended increasing the \$10 million per year that the oil and gas industry currently pays in inspection fees significantly, and that is what our amendment would have done.

And for my friends on both sides of the aisle who are concerned about reducing Federal spending, the increased funding for the safety agency from our amendment would have come from the oil and gas industry and not from taxpayers, but the majority won't even allow a vote on this amendment.

The oil and gas industry supports increased funding for BOEMRE. Just last November, the president and CEO of the American Petroleum Institute, Jack Gerard, said, "We fully support Congress providing additional resources for the Bureau of Ocean Energy Management, Regulation and Enforcement. This agency needs the additional inspectors and the increased staff and training resources to allow more efficient review and approval of oil and natural gas permit applications and processing of environmental reviews."

But what have the Republicans done in this bill? They have underfunded this agency. The oil industry agrees that there needs to be more funding to process permits and conduct inspections. The only question is whether a portion of that funding is going to come from a small increase in inspection fees, as the independent BP commission has recommended, or whether American taxpayers will have to pick up the entire tab. We are saying that they should pay the fee, the American Petroleum Institute should pay the fee. The oil industry should have to pick up the tab. And right now we do not have an ability to debate that on the House floor.

When people go to get their cars inspected to ensure they are safe and not a threat to the environment, they pay a small fee. But the oil and gas industry, which is recording the largest profits in the history of the world, doesn't have to pay a fee to get some of their rigs inspected to ensure that we don't have another Deepwater Horizon disaster.

The American people want these rigs inspected to make sure they are safe, not allow oil companies to be safe from paying more inspection fees. But when we are trying to cut the deficit, the Republican majority is giving another gift to the oil industry, straining our oil safety agency. More than 1 year after the BP spill, it is still business as usual.

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

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, the legislation we are considering today undermines the ability of the Federal

Government to continue protecting our Nation's air, land, and waters.

I intended to offer an amendment, along with my colleague from Massachusetts (Mr. MARKEY) and my colleague from New Jersey (Mr. HOLT), to fully fund the Bureau of Ocean Energy Management, Regulation and Enforcement, fully fund the national agency in charge of regulating offshore oil and gas drilling. Unfortunately, due to changes by the Republican leadership to the House budget process, we weren't allowed to offer this amendment.

Mr. Chairman, it's been over a year since the Nation's worst offshore oil spill. And I think our constituents would be surprised to learn that rather than taking action to prevent another deadly spill, this House continues to talk about expanding offshore drilling while sidestepping environmental laws to do so. They would also be surprised to learn that the underlying bill blocks the bureau's ability to collect inspection fees, and, as a result, the agency would see a \$35 million cut in their budget.

Mr. Chairman, in his fiscal year 2012 budget request, President Obama asked for a significant increase for the bureau over his 2010 budget. He asked for this new money to hire additional inspectors, to enhance environmental reviews, and to enforce strengthened regulations. If we recall a year ago and the events following the spill, we will understand why this is the case.

While this request was a significant increase over prior years, the administration proposed to offset nearly half of the request by increasing the inspection fees on offshore rigs. This was a key recommendation of the President's bipartisan, independent national oil spill commission.

In their final report, the commissioners recommended the industry fees should be increased to, and I quote from their report, "provide adequate leasing capabilities and regulatory oversight for the increasingly complex energy-related activities being undertaken on the OCS."

Our straightforward amendment adopts this key recommendation to provide the funding needed for government regulators to do their jobs, and it will ensure a safer and more environmentally responsible industry.

Mr. Chairman, knowing what we know now, if we continue to allow offshore drilling in U.S. waters, the government has a responsibility to ensure that they are protecting us against a repeat of last year's disaster. And if oil and gas corporations want the opportunity to drill, it's only fair for them to help cover the cost of ensuring it's done properly, that their workers are protected, and the surrounding ocean is safe. But, ultimately, Congress holds the purse strings, and we must require these corporations to step up so the bureau can ensure that the people, communities, economies, and environment in the gulf, Alaska, and off the south-

ern California coast are sufficiently protected against a spill.

Whether or not we have an agency capable of properly regulating the oil and gas industry is dependent upon our decisions. Without these fees, taxpayers, rather than the industry, would have to shoulder the costs of these operations.

If we want to ensure safe and responsible energy development, we must put the lessons learned from the BP oil disaster to use.

I urge my colleagues to vote down this bill which blocks the bureau's ability to collect inspection fees. It's what is needed so we do not have to endure a repeat of the horrific disaster that is still inflicting pain and damage to the Gulf of Mexico and to those who make their living from it.

What a terrible legacy of this Congress that we have done so little following the gulf oil disaster. What a legacy should, God forbid, a future disaster take place and we would have remembered that on our watch we could have done something about it.

I yield back the balance of my time. Mr. HOLT. Mr. Chairman, I move to strike the last word.

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

Mr. HOLT. As you heard, this appropriations bill provides several hundred million dollars to the Bureau of Ocean Energy Management, Regulation and Enforcement. Sounds like a lot of money, but it is far less than what is needed for the protection of the environment and of workers for offshore oil and other activities.

The Director of the bureau recently testified that these funds that are missing are needed and that their lack will have a direct and immediate impact on the ability of the agency to hire inspection and permitting personnel.

It's interesting that so eager is the majority to look after the interests of the oil industry that they ruled out of order our amendment which provides one way to make up for these lost funds, this amendment that I would have offered with Mr. MARKEY of Massachusetts and Mrs. CAPPS of California had the amendment been in order. So eager are they to look after the interests of the oil industry that they actually work against the oil industry.

□ 1940

So eager are they to look after the interests of the oil industry, that they actually work against the oil industry. The irony is pretty rich here. At a time when the majority is aggressively pushing their oil, oil, oil, drill, drill, drill agenda, they are slashing the very funds that are needed by the bureau to conduct the lease sales and issue the permits and inspect the offshore drilling facilities so the industry can move ahead safely and efficiently.

You know, at a time when we are about, according to the majority here,

about to require seniors and the poor to pay more for their health care, and the majority is considering drastic cuts to the social safety net and considering trading away critical parts of Medicare and Medicaid, the majority is prepared to hand out yet another subsidy to the oil industry. They refuse to make in order the legislation that would take 0.02 percent, that is two-tenths of 1 percent, of the annual profits of the top five oil companies to replace the missing \$35 million in inspection fees. That amount would fully fund the bureau and would ensure that the agency could effectively and efficiently issue the permits and conduct the safety inspections.

This is an industry that is making tens of billions of dollars each quarter. As we have heard, BP just today announced more than \$5 billion in profit. That is a little bit below expectations, we read, \$5 billion in the last 3 months.

So as a result, because this amendment is not being made in order, this bill, should it become law, would leave the agency that is responsible for the management, regulation, and enforcement of offshore drilling underfunded, understaffed, and it would leave the public and the workers at risk.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$3,576,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579(43 U.S.C. 1715, 1716, and 1748(d), respectively), including administrative expenses and acquisition of lands or waters, or interests therein, \$4,880,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

AMENDMENT OFFERED BY MR. BASS OF NEW HAMPSHIRE

Mr. BASS of New Hampshire. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 6, insert after the dollar amount the following: "(increased by \$1,000,000)".

Page 10, line 1, insert after the dollar amount the following: "(increased by \$4,000,000)".

Page 15, line 19, insert after the dollar amount the following: "(increased by \$4,000,000)".

Page 32, line 12, insert after the dollar amount the following: "(reduced by \$20,000,000)".

Page 76, line 2, insert after the dollar amount the following: "(increased by \$7,000,000)".

Page 78, line 1, insert after the dollar amount the following: "(increased by \$4,000,000)".

Mr. BASS of New Hampshire (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

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

Mr. BASS of New Hampshire. I thank the Chairman for recognizing me and making it possible for me to offer this amendment at this point in the bill.

This amendment will restore \$20 million to the Land and Water Conservation Fund. It is offset by a \$20 million reduction from the Department of the Interior salaries and expenses. Now, the Department of the Interior salaries and expenses at present are about \$250 million, so this would represent roughly a 10 percent reduction in the overhead for the agency. But what do you get for that? You get about an 8 percent increase in the Land and Water Conservation Fund funding.

Now, the Land and Water Conservation Fund, as has been mentioned by other speakers, was established 46 years ago in 1965. It was designed as a forward-looking program to preserve critical assets in America for all of us to enjoy.

When you travel around the world, you don't find countries like America that have large parts of our country preserved for public use. Most of the land in other countries around the world is owned privately or by the government and it is not accessible to the public. The LWCF, through its state-side program, its Forest Legacy Fund, has provided countless acres of protected land for public enjoyment.

Now, the fund has, for the last 25 or so years, received most of its funding from offshore oil royalties, and those royalties have averaged anywhere from \$7 billion to \$18 billion a year. And I have a little table here for the last few years that shows the total royalties and how little amount of money that the Land and Water Conservation Fund takes from these receipts. It is authorized at \$900 million. It has been funded of late between \$300 million and \$500 million. But, my friends, this year it is funded at less than \$70 million.

We Republicans have set as a goal in our principles to reduce the growth of government and to reduce programs to their January 1, 2008, level. What have we done in this appropriations bill? We have reduced this fund to its 1965 level.

I have here another little table that shows the historical funding for the Land and Water Conservation program. There is 1965. We will be lower than that if we don't pass this amendment.

I ask you, my friends, for the sake of the 900,000 Americans who visit these lands during the year, of the millions of dollars spent through the outdoor recreation industry, for those opportunities that we may never see again to make critical purchases and easement purchases of assets that are so important to the future of our country, to raise this appropriation from \$68 million to \$90 million is a small price to pay for what could be done with those funds.

We need to continue the program of land conservation, local recreation, and, yes, working forests. And a \$68 million appropriation just plain doesn't do it.

So on behalf of my cosponsors, I urge you, Mr. Chairman, to support this amendment and make it a part of the underlying bill.

I yield back the balance of my time.

Mr. MURPHY of Connecticut. I move to strike the last word.

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

Mr. MURPHY of Connecticut. Mr. Chairman, I join my friend from New Hampshire as one of the cosponsors of this amendment, and I urge House passage.

Let me say at the outset that this is a terrible bill. This is the first time I have come to the House floor to speak on it. It goes without saying that the devastation that this underlying legislation would do to our, frankly, century-long history of environmental protection is almost indescribable. The League of Conservation Voters said simply this: that this bill is the biggest assault on the air we breathe, the water we drink, and the wildlife and wild places we hold dear to ever come before Congress.

It rolls back new vehicle emission standards. It guts the Clean Water Act. It defunds the Endangered Species Act. And in the middle of it all, it adds an 80 percent cut to the Land and Water Conservation Fund. As my friend, Representative BASS, rightly pointed out, it essentially reverses 50 years of investment in land conservation by returning this account back to the 1965 level.

It was a great Republican President, Teddy Roosevelt, who first had the wisdom to understand how integral the open spaces of this country are to what it means to be an American. There is something unique about this country. The views and the vistas are just one part of it. Our identity is wrapped up in the places that we have conserved, the places that we have conserved through the very rightful acts of investment by our Federal Government over the last 50 years, indeed, over the last 100 years. And it has been Republican and Democratic Presidents, Republican and Democratic Congresses that since that moment of awakening in this Nation have realized this is the right kind of investment for this Nation. It is the right kind of investment because not only does it preserve the character of our Nation, but it does so by leveraging private investment and State investment.

As Representative BASS noted, one of the most important pieces of LWCF is the Forest Legacy Program. That program has conserved 2 million acres around the country. In my State of Connecticut, it has helped conserve 8,000 acres, and it does it by partnering with State resources, with local resources, and with private resources; in my State, often through the generosity

of land trusts. This is an incredibly wise investment, as it has been over the years.

And worst of all, this isn't even getting at the larger question of deficit reduction because this account has never been funded through deficits or borrowing. It has been funded through the money that comes from our offshore oil leases.

There are so many horrible cuts in this bill. There are so many reasons for those of us who believe in the concept of environmental protection made real by bipartisan support over the course of the last century to oppose this bill. But this, in my mind, is the worst of it. This is a sad day where we stand today. This is a small, small increase beyond what the Republicans have proposed to cut, but I think it is meaningful in the sense that it is an opportunity for this Congress to come together and say what dozens upon dozens of Congresses have said since 1965, that it is an American investment to spend Federal money toward the project of land conservation.

I yield back the balance of my time.

□ 1950

Mr. MORAN. Mr. Chairman, I claim time in opposition to the amendment.

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

Mr. MORAN. Mr. Chairman, I am a strong supporter of the Land and Water Conservation Fund. It's one of the great environmental success stories of the past 50 years. The \$65.8 million that the bill contains for the Land and Water Conservation Fund is in fact, as has been stated, the lowest since the program was started back in 1965. This is a 78 percent cut from the current level of funding. But I have to oppose the Bass-Murphy amendment because it not only is too small but the offset used would in fact harm other important programs.

The \$20 million for the Land and Water Conservation Fund that the Bass-Murphy amendment would restore is less than 10 percent of the \$235 million cut from this year's level. But to fund this plus-up, the Bass amendment actually makes it worse by taking \$20 million from the Office of the Secretary's account. Because what appears to be an increase in funding in the Secretary's office is actually the transfer of the revenue collection function from the Bureau of Ocean Energy Management, Regulation, and Enforcement. The Office of the Secretary took that in so that the Interior Department can do a better job in collecting the royalties and payments that are due the American people from Outer Continental Shelf drilling. But if you take this \$20 million away, it jeopardizes those collections.

The problem is that the Land and Water Conservation Fund is in fact funded with Outer Continental Shelf royalties. But if you take away the ability to collect those royalties, not

only are you taking the \$20 million from the ability of the Secretary of the Interior to manage the office, but you could very well be costing the government much more than \$20 million because they won't have the ability to collect those royalties that in fact pay for the Land and Water Conservation Fund.

Now, we couldn't agree more that it never should have been cut by 78 percent. It should be restored. We have said that in our statement. We support amendments to restore it, but certainly not to take it from the ability of the Secretary of the Interior to collect the very revenues that the government needs and that the American people are owed.

So that's why, regrettably, I have to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. REICHERT. Mr. Chair, the Land and Water Conservation Fund has helped ensure the permanent protection and maintenance of critical lands in our national forests, parks, wildlife refuges, and historic sites. Equally important, it has provided matching funds to support countless state parks and recreation projects in thousands of communities in every state in the nation.

The Land and Water Conservation Fund not only helps provide outdoor recreation access so that parents can teach their children about active, healthy lifestyles, it also provides an economic boost. In Washington state alone, the 2.7 million people who enjoy hunting, fishing, and wildlife watching contribute \$3 billion to the local economy.

I've joined bipartisan efforts to protect this important fund because, in the Pacific Northwest, we take special pride in our natural resources. I'm proud to, again, follow in the footsteps of so many who have worked together to protect the outdoors and our environment. I urge my colleagues to support the Bass amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 6, after the dollar amount, insert "(decreased by \$4,880,000)".

Page 10, line 1, after the dollar amount, insert "(decreased by \$15,047,000)".

Page 15, line 19, after the dollar amount, insert "(decreased by \$18,294,000)".

Page 78, line 1, after the dollar amount, insert "(decreased by \$12,500,000)".

Page 158, line 25, after the dollar amount, insert "(increased by \$50,721,000)".

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

Mr. LAMBORN. Mr. Chairman, I am offering this amendment on behalf of and in cooperation with Representative PAUL BROUN of Georgia, who could not be here tonight. What this amendment does is it would zero out all of the land acquisition programs within the Inte-

rior, Environment, and Related Agencies appropriations bill, thus placing more than \$50 million in the Spending Reduction Account in order to reduce our national debt.

The Federal Government already owns more than 650 million acres of land, or about 30 percent of the total land area of the United States. We can't even take good care of the lands that the Federal Government already owns. An example of this is that the Park Service has a current backlog of several billions of dollars of repairs and maintenance in our beautiful national parks. At a time when we are facing an unprecedented fiscal crisis, the Federal Government needs to focus its energy on taking better care of the land it already has rather than purchasing additional acres. Our Federal agencies have enough on their plate, and if we zero out these land acquisition programs, we can save a significant amount of money.

Mr. Chair, we cannot spend our way out of the debt dilemma. I urge my colleagues to support this amendment and to send more than \$50 million toward paying down our national debt.

I yield back the balance of my time.

Mr. MORAN. I rise in opposition to this amendment.

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

Mr. MORAN. Mr. Chairman, I wish that our friends who just spoke on an amendment to add \$20 million were still around, because their points are well taken. We've already cut 78 percent from this program.

The gentleman from Colorado wants to eliminate it entirely. The Land and Water Conservation Fund is one of the premier environmental programs in this country. Most Americans have no idea how important it has been to their quality of life and to the ecology of this great country. But by wiping out these funds entirely, the amendment would force land management agencies to cease all work on congressionally approved projects that are now under way using previous year appropriations.

This mean-spirited amendment will hurt willing sellers—landowners who are willing to sell—because it's going to prevent agencies from finishing the commitments that are already in place. Among the willing sellers who would be unfairly thrown to the curb are owners who are partway through contracted sales and are counting on Land and Water Conservation funds to complete those sales, those contracts that they have already been working on. Many landowners, who range from elderly widowers and family trusts to ranchers and forest owners, have pressing financial needs that now depend on the completion of what are ongoing Land and Water Conservation projects. The amendment would also frustrate land exchanges that are currently in process. So it's not just the sale of land, it's exchanges of land that this

amendment would prohibit. Many of them have been years in the making. And so it's very important for local and private economic development and for public land management.

Under this amendment, staff would not even be in place to accept and process donations of important natural historic and other properties. Donations to the public, you wouldn't even have staff to accept those donations. Without staff, right-of-way work to provide or maintain access to key public needs also would be impossible. The public, the American taxpayer, would be unable to secure critically needed routes for fuels and wildfire management or for watershed management or for access for sportsmen and other recreational use. I can't imagine that the sportsmen in this country could ever want to have this kind of prohibition in place that might prevent them from even getting access to important recreational areas for fishing and hunting and so on.

The amendment would exacerbate an already draconian cut—78 percent cut—to the Land and Water Conservation Fund, a program that is already paid for using a very small percentage of oil drilling receipts. I would hope that my colleagues and anybody that might be listening to this debate would understand that Land and Water Conservation Fund moneys are not taxpayer dollars. They come from the receipts from oil and gas drilling—drilling that is on publicly owned land.

□ 2000

Those royalties come into the government, and that's what we use to fund the Land and Water Conservation Fund, but this would eliminate that program. This amendment represents a complete elimination of a bipartisan program that has existed for 45 years. This proposal prevents revenues deposited in the Land and Water Conservation account from being used for their authorized purposes. These funds were a promise made to the American people in 1964. This Congress should not be breaking that longstanding commitment. I, obviously, oppose the amendment.

I yield back the balance of my time.
Mr. SIMPSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR (Mr. HURT). The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. First, let me apologize to the gentleman from Virginia for the last amendment.

We both had some concerns, that he expressed very well, about taking \$20 million out of the Secretary's office and the impact that that could have. As we discussed during his debate, I think both of us are concerned about the underfunding of the Land and Water Conservation Fund and would like to see that fund increased. During his debate in opposition to the amendment, we decided to accept the \$20 million in the amendment from the gentleman from New Hampshire and the

gentleman from Connecticut's amendment.

So I apologize for the confusion in the middle of all that. The gentleman's issues that he raised about the Secretary's budget and the impact that could have are real. We will have to address those in conference, and I want to work with you to do that.

Let me rise in opposition to this amendment. I have concerns that this is eliminating all of the funds, especially since we just increased them by \$20 million. When we had this limited allocation, we had to make some tough decisions. The Secretary wanted it fully funded at \$900 million as did the Obama administration. We simply did not have that kind of money, and to put more money into it, given our allocation, we would have had to take the money out of some other programs that are very important to other people. What we did do is put enough money in it to keep the programs and the purchases and the deals that had been made with citizens to acquire land that were already in progress so that those could be completed. We didn't put additional money in there.

I happen to be a fan of the Land and Water Conservation Fund. I think it has done some great things. I've seen it do things in Idaho and I've seen it do things in other States, things that are very important. Westerners, though, have a different view of the Land and Water Conservation Fund, and let me tell you where it comes from.

It's that most of the money that's put into the Land and Water Conservation Fund, at least a large percentage of it, is used to buy land in States in the West. Those are States that are already highly leveraged by the Federal Government. In Idaho, 64 percent of the land is owned by the Federal Government. So a lot of westerners say, Listen, if you want to put money in the Land and Water Conservation Fund, if you want to buy the whole east coast, we don't care; but what we want in Idaho and what we want in Western States is some private land to be able to pay the taxes to support our education system and other services that are necessary.

I have one county in Idaho that is 96 percent Federal land—96 percent Federal land. It's bigger than the State of Rhode Island. That means 4 percent of the property is paying property taxes to deliver the services to these people. Several years ago, a mountain climber, not from Idaho but from somewhere else, came out and was climbing the mountains of Mount Borah. He died. It took their entire search and rescue budget for the year for that county to retrieve that one body off Mount Borah. That means everybody else who recreated in that county did not have that backup, did not have that search and rescue available, because they had no funds, because they had no private land to pay the taxes to fund those services.

That's the problem that westerners who are in States that are highly

owned by the Federal Government have with the Land and Water Conservation Fund, but I'll be the first to admit that it does some wonderful things. If you float down the South Fork of the Snake River, you will see one of the most beautiful canyons and one of the best fishing rivers in the country; and if the gentleman from Washington wants to come out, I'll float him down it. It is an incredibly beautiful place, and it has been done through the Land and Water Conservation Fund.

So I believe in the importance of this program. I apologize to the gentleman from Virginia as to our previous confusion on that; but I oppose this amendment, and I would encourage Members to oppose it.

I yield back the balance of my time.

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

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

Mr. GARAMENDI. I was just listening to the debate here, saying: What are they thinking? What is the rationale? What is the purpose for the legislation that we have before us, more pointedly, the amendment that was just offered?

This is an incredible country. This is a country that very recently took great pride in cleaning its rivers, in protecting its citizens from toxins and pollutants and chemicals and poisons. This is a country that took great pride in creating the first-ever in this world national park and then expanded it over time to create the most awesome National Park System in the entire world. This is a country that took great pride in the Snake River and the use of the Land and Water Conservation Fund.

An argument was made a moment ago that there is not enough money. Yet not more than a month ago, an effort to increase the royalties from our oil that is pumped from our land, the land of the people and of the United States—and in fact even to get a royalty—was rejected by our Republican colleagues. So money was available if we simply had gone for the royalties that should be there under any case. This legislation, however, goes far beyond that, and over time will destroy the pride that we have taken in creating our national parks, in setting aside for future generations the great vistas of America, protecting our air, our land and our water.

You look at this bill. You look at the details of this bill, and you go, Oh, my. How could they? How could they put in legislation that would block the effort of the EPA to eliminate mercury poison in our air and water? How could they allow a bill that would create more soot in our atmosphere, put 34,000 lives at risk, and exempt the oil companies from air pollution standards in offshore drilling, which in California is a big deal because the air blows, the wind blows onto the land? How could they threaten the health of millions of

Americans by jeopardizing the EPA's critical air, land and water regulations? Then our children. They block the EPA from limiting dangerous air pollution. How could they put together a bill that potentially could contaminate 117 million Americans' water?

How could you do that? Have you no pride in this country? Do you not care about the basic things that we have done to create a country that cares about clean water? You talk about jobs. Yet, in this bill, you eliminate the funding for the Clean Water Act, which is really building sanitation facilities in our community.

I remember in the 1960s the great pride that the 500 people in my community of Mokolumne Hill took when they got that money from the Federal Government and actually built the first sanitation system in that small town. How could you deny Americans the opportunity for that—and the drinking water and the jobs that go with it?

That's what this bill does. Take pride in what you're doing, gentlemen, because at the end of the day, the American public will not take pride in what you're doing to this piece of legislation.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. TIPTON

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent to waive the reading.

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

There was no objection.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, after the dollar amount, insert "(increased by \$2,500,000)".

Page 65, line 19, after the dollar amount, insert "(decreased by \$5,000,000)".

Page 78, line 1, after the dollar amount, insert "(increased by \$2,500,000)".

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

Mr. TIPTON. My amendment is going to apply funds directed towards much needed conservation programs which are used to be able to provide access for the American people to our public lands and to help support jobs in the recreational and sportsmen industry.

Our public lands are a treasured resource for all Americans to be able to use and enjoy responsibly. I support a balanced approach to public lands use, respecting the environment that we all deeply value while making the best use of our natural resources on public lands. Recreation, preservation, access,

and job creation are all important aspects of the multiple-use management for which these lands are truly intended.

This funding would be used for projects that clearly and specifically improve access for hunting, fishing and other forms of outdoor recreation on these Federal public lands. Of the directed funds, \$5 million would be redirected to make public lands public and provide much needed support for recreational access.

I yield back the balance of my time.

□ 2010

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$112,043,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that subsection, whether as a result of

forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: *Provided*, That notwithstanding Public Law 90-620 (44 U.S.C. 501), the Bureau 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 the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and the performance of other authorized functions related to such resources, \$1,099,055,000, to remain available until September 30, 2013 except as otherwise provided herein: *Provided*, That none of the funds shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, (except for processing petitions, developing and issuing proposed and final regulations, and

taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii) of such section): *Provided further*, That of the amount available for law enforcement, up to \$400,000, to remain available until expended, may at the discretion of the Secretary of the Interior be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

AMENDMENT OFFERED BY MR. DICKS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Under the heading "UNITED STATES FISH AND WILDLIFE SERVICE-RESOURCE MANAGEMENT", strike the first proviso (Page 8, line 19, to page 9, line 1), relating to implementation of subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act.

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

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. I rise to offer an amendment that would strip a dangerous rider from this bill, a rider that would seriously compromise the effectiveness of the Endangered Species Act. This is a bipartisan amendment, I might add.

I'm offering it with the support of Congressman THOMPSON and Congressman FITZPATRICK and Congresswoman HANABUSA.

The fiscal year 2012 Interior and Environment bill passed by the full committee a few weeks ago contains a direct attack on the ESA. I offered an amendment at that time to strike the provision, but the full committee rejected it.

The provision would block the Fish and Wildlife Service from listing candidate species as either threatened or endangered as well as the designation of the critical habitat necessary for species recovery. These listing activities are preliminary steps that the Fish and Wildlife Service must take in order to begin the recovery process. After those steps are taken, then the hard work begins. Without these important preliminary steps of listing and critical habitat designation, it would be impossible to develop a scientifically valid and legally defensible recovery plan for declining species.

This funding limitation aimed at the heart of the ESA is simply postponing the day of reckoning. It is important to note that the bill does provide funding for the Fish and Wildlife Service to downgrade the protections offered to species under the ESA. After all, the goal of the ESA is to eventually delist recovered species. Delisting is the reward after all the hard work recovering these species. But we can't get to the

point of delisting species without listing them first.

My amendment would remove these restrictions on listing and up-listing and the designation of critical habitat.

Many critics of the ESA argue the law simply does not work. I would argue that the recovery leading to the delisting of the bald eagle and the American alligator under the ESA is a strong success. In the last few months, the gray wolf in the northern Rockies has been delisted in two States and the Fish and Wildlife Service recently announced the intention to delist the gray wolf in the western Great Lakes.

Other animals that are still listed under the ESA but have made tremendous recoveries include the whooping crane, the black footed ferret, and the California condor. In the Pacific Northwest, I'm glad to report that we are seeing signs of healthy recovery for the ESA-listed salmon, although it will be awhile before delisting could occur.

Clearly these examples show us the success of the ESA, a law, by the way, that the American people overwhelmingly support.

As for species listed under the ESA, they still are struggling. It is naive to think that a quick turnaround is easy when it took decades, if not centuries, for a species to decline. Also, it takes more time to recover long-lived species.

Here is a situation that the Fish and Wildlife Service faces in the administration of the ESA.

Currently, there are about 260 species that have been identified as potential candidates for ESA protection. Of that total, there are just under 30 species that are poised for listing in the near future. The spending provisions in this bill would block further activity to protect these declining species. And remember, if you delay listing too long, a species will go extinct, thus making a recovery impossible. And that is why some people call this the "extinction rider."

The Endangered Species Act is one of the most effective environmental laws ever written. Recovering species is hard, often long, work; but it is a responsibility that cannot be dismissed like this Interior appropriation bill attempts to do.

I know that many of my colleagues would like to drastically reform the ESA, but it would be a sounder path to do such a reform through the authorization process rather than accomplishing the goal with a few lines in the appropriation bill. And I see that the distinguished chairman of the Natural Resources Committee is here, and he has pledged to get to work on this important endeavor.

In closing, I will point out that this amendment is supported by former directors of the Fish and Wildlife Service who served under Presidents Nixon, Ford, Carter, the first President Bush, and Bill Clinton. It is also supported by several hook-and-bullet groups including the Izaak Walton League and Trout Unlimited.

I urge support for this amendment.

I yield back the balance of my time.

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

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

Mr. SIMPSON. I rise in opposition to the amendment by my good friend from Washington (Mr. DICKS).

I respect where my friend is trying to go; but not only does this amendment not get us there, it's downright dangerous. Let me explain why.

Since the Clinton administration and response to lawsuits and court orders that were crippling the agency's budget, there has been a statutory cap on how much the agency is permitted to spend on ESA listings. There's been a statutory cap in place since the Clinton administration. A cap on critical habitat spending was added in 2002.

The Obama administration requested new caps for petitions and foreign species listed in 2012.

In short, support for ESA funding caps has had bipartisan support in Congress and in the White House and was in place when the gentleman from Washington wrote the Interior bill and when the gentleman from Virginia wrote the Interior bill. Those spending caps were in place.

This amendment proposes to do away with funding caps altogether and gives the green light to those who have made a living suing the Fish and Wildlife Service. As a result, the litigants will act, the courts will all act, and the Fish and Wildlife Service's entire operating budget will be at risk of being raided in order to fund court-ordered mandates to list species and designate critical habitat.

□ 2020

This service will have no choice but to raid other funds from its resource management account, which is already decreased by \$146 million, or 12 percent, in this budget. Having said that, the heart of the issue isn't about funding. It's about the fact that the Endangered Species Act is broken and is badly in need of review, revision, and reauthorization by the Natural Resources Committee. As I have said before, there's been about 2,000 species listed and 21 recovered.

Unfortunately, the Endangered Species Act has become not so much about saving species as it has been about controlling land and water. I'll give you an example. We all talk about the fuzzy and warm animals that we all like and all want to save. Nobody talks about the slickspot peppergrass, endangered. Nobody really cares about the slickspot peppergrass, except that it's listed. And you know what it does? It prevents cattle grazing on public lands and is used to prevent cattle grazing on public lands and move cattle producers off of public lands. That's the only reason that the slickspot peppergrass is really listed. That's unfortunate.

When you start using what was an act that was bipartisan and almost had

unanimous agreement in the House and Senate, was a good Act—the intent of the Endangered Species Act is right, and we need to do it. We need to protect species that are endangered. Unfortunately, that's not what it's being used for today, and you can't get the stakeholders to the table to do a reauthorization bill because there are groups that like it the way it is. They want to control land and water by using the Endangered Species Act. How do we get the message out to them that we need to do a reauthorization? The only way I can think of is to say, You know what? This has been unauthorized for 20 years.

Now, you talk about policy riders in this bill that you don't like. This is a policy rider that you're attempting to add. It's an unauthorized program. Just because we have continued to fund it for 20 years, that's not the answer; that's the problem. And we need stakeholders to come to the table, sit down with the Natural Resources Committee and write a reauthorization. That's what this is all about. It is a shot across the bow.

I believe there are 56 or 58 programs in this bill that the authorization has expired. Somehow we need to send a message that we have a process around here. It's authorization, then appropriation. Not authorization, expired appropriation, and appropriation and appropriation and appropriation. It's the only way those things keep going on. We are trying to send a message.

You will find that I am supportive of reauthorization of the Endangered Species Act, and I am supportive of the Endangered Species Act as it was originally intended. But I would urge my colleagues to vote against this dangerous amendment which would undermine the Fish and Wildlife Service's budget because it would lift the caps that have been in place since the Clinton administration, and Fish and Wildlife Service would have no other alternative but to raid their accounts in order to fund court orders, suits, and other things that would come along.

I urge my colleagues to vote "no" on this 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 was going to wait until other speakers spoke, but I felt it appropriate to engage in a discussion here with the chairman and to remind him that this bill includes funding for a multitude of expired authorizations.

The Bureau of Land Management isn't authorized. But you are funding the Bureau of Land Management because you like the Bureau of Land Management. The grazing program isn't authorized. Oil and gas isn't authorized.

Mr. SIMPSON. Will the gentleman yield?

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

Mr. SIMPSON. The gentleman brings up the point I tried to make. This is a shot across the bow. All of these programs need to be reauthorized. We had to start somewhere.

Mr. DICKS. Can you start with another bow?

Mr. MORAN. Well, that's it.

Reclaiming my time, the shot across the bow goes right into the heart of the Endangered Species Act. So you are picking winners and losers. You could have picked any number of programs, but you like those. In fact, some of them you've increased—funding for grazing subsidies, funding for oil and gas subsidies. But the Endangered Species Act, the poor species who are in danger of extinction who can't speak up for themselves, they get targeted. They're the ones you are going to make an example of.

You know, not allowing listings of the designation of even the critical habitat that will protect endangered species doesn't change the fact that so many plant and animal species are at risk of extinction. There are 260 species that are in danger of extinction, but we're not going to protect them.

The lack of critical habitat designations not only hurts those species at risk, but it leaves in limbo landowners and businesses that need decisions made in order to make plans. We hear so much about uncertainty and how bad uncertainty is. This creates uncertainty.

The twist of irony: The bill allows funding to be used to delist species or reclassify them from endangered to threatened, to delist them or down-list them, but no funds can be used for listings or to reclassify them from threatened to endangered. Even if they become endangered, we can't classify them as endangered. We can only down-list them. It's a one-way street, a one-way street to less protection.

I too would like to see the Endangered Species Act authorized. Maybe we'll hear from the chairman of the authorizing committee why it's not being reauthorized. But this is not the way to deauthorize it. The fact is that this is legislating on an appropriations bill, basically. I thought we were not supposed to be doing that. But we make these poor endangered species that are at risk of extinction bear the cost of Congress' failure to reauthorize the Endangered Species Act.

Of course I support the Dicks amendment. Not only do we have 260 species at risk of extinction, but we don't even know the entire scope of the species whose very existence is at risk, and we don't know either the role they play in the ecology of our planet. There are so many species that we're only now learning—for example, there are now that catch insects or mosquitoes or whatever—that maintain the population of other species.

I do believe that every species has some role to play in the sustainability and the ecology of this planet. We don't know necessarily what that role

is, but I do think we have some idea that they're there for a purpose. And while they're there for a purpose, it seems to me we have a purpose, a responsibility for enabling that species to be sustained on this fragile planet. And to say that we can't outperform our responsibility, we can't act responsibly toward these species, is irresponsible. It really is an embarrassment to this Congress.

So I very strongly support the Dicks amendment. I would hope that we would give species a break. Get this language out of this bill.

I yield back the balance of my time. Mr. HASTINGS of Washington. I move to strike the last word.

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

Mr. HASTINGS of Washington. Mr. Chairman, let me make one point: This debate is not about the Endangered Species Act; it is not about the Endangered Species Act.

I have to rise in opposition to the amendment offered by my good friend from Washington State. I think that Chairman SIMPSON has brought to the House floor a bill that prioritizes funding to ensure that the core responsibilities and environmental protections are met in a broader sense.

When it comes to the Endangered Species Act, this bill focuses on funding the actual recovery of species. It does this by, one, continuing funds for recovery activities and doing that despite the fact that this bill, the ESA, has not been reauthorized for 23 years—not 20 years; 23 years—and, two, by limiting funds for lawsuit-driven new listings and habitat designations.

This bill sends a clear message, as the gentleman from Idaho said, that the Endangered Species Act needs to be updated and improved. It needs to be reauthorized. As I mentioned, it's been 23 years since this bill was reauthorized by Congress. A person can be born and graduate from college in the amount of time that has passed since Congress last acted to make serious responsible improvements to this law.

□ 2030

Now, the gentleman from Washington acknowledged me on the floor earlier, and I will tell him, as the chairman of the Natural Resources Committee, which has jurisdiction on the Endangered Species Act, I can inform the House that this committee will be conducting robust oversight of the need to update this law in the coming months. The current law is failing to truly recover species while it frequently hamstring jobs and economic prosperity, like the gentleman from Idaho mentioned. And we will also examine legislative priorities.

In my view—and this is important about this debate—in my view, the real obstacle to improving ESA is the fact that a number of groups are heavily invested in litigation mindset, a litigation mindset that prefers lawsuits against the government over improving

the act and improving the recovery of species. These groups have filed lawsuits by the one hundreds against Fish and Wildlife and the National Marine Fisheries.

This bill, under Chairman SIMPSON's leadership, effectively halts these lawsuits. By limiting any spending on new listings or habit designations, this bill will allow the biologists to get back to work recovering species, rather than responding to court cases. Both funding and personnel will be able to focus on the real work of bringing species back from the brink.

By striking this provision, the Dicks amendment would reopen the litigation process. The same activist groups, Mr. Chairman, that filed these lawsuits endorse this amendment. As we speak, they are waging an expensive paid advertising campaign on behalf of this amendment. Because they profit from these lawsuits, to me, it appears they are more concerned about the ability to go to court, get a settlement and get paid than they are about recovering species.

So I urge my colleagues to oppose the amendment. This bill strikes the right balance by directing funding to actual recovery of species. And it strikes the right balance by bringing a halt to litigation over new listings and habitat designations.

This bill will create an opportunity where Congress can do its job to update and modernize the ESA. It's time that we take a thoughtful analysis of the inadequacies of this current law, inadequacies that allow the ESA to be abused through lawsuits, rather than serving as a true conduit for species recovery.

Let me go on to say that, as the chairman, I think, said very well in his remarks, there is no incentive for the stakeholders to come and try to work out the differences or update this law if Congress keeps kicking the can ahead. That's what the issue is all about.

I can't imagine, for example, that people really believe that this bill should be in place, yet, when there is a major construction project here in the Washington, DC, area, like the Woodrow Wilson bridge, they waive the act. Does that make sense? Of course it doesn't make sense.

And we don't get an opportunity, those of us that are impacted by this act, get a chance to waive it. So it just seems to me that there has to be an update of this. The act has not been updated for 23 years. It's time to do it. And as the chairman of the committee that has jurisdiction on that, I'm glad to work with the chairman of the Appropriations Committee on this. In fact, I'll work with anybody on this because I too believe that the species are very important, as the gentleman from Virginia said. But let's do it in a way that protects species and does not harm those people that make a living from the land and/or the water.

I yield back the balance of my time.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. 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 shortsighted 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