

acres, are currently the site of the existing Native health facility and of proposed long-term care facilities and employee housing.

The subject lands have already been conveyed by the Secretary to the association through a quit claim deed. The Federal Indian health laws, however, under these laws, transferring a land through the use of a quit claim deed could present some obstacles for the future use of the land by the association. H.R. 443 addresses this problem by directing the Secretary to convey the property through the use of a warranty deed. This method provides clean title to the land. The administration testified in support of the land transfer, and we have heard no other objection to this bill.

The bill was referred to the Committee on Energy and Commerce. The chairman of that committee, Mr. UPTON, has kindly forgone action on the bill in the interest of expediting its consideration on the House floor. I thank him for his cooperation and at this point would like to include in the RECORD an exchange of letters between our committees regarding this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,

Washington, DC, December 7, 2011.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN HASTINGS: I am writing concerning H.R. 443, to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska, which was ordered reported out of your Committee on October 5, 2011. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 443 so that it may proceed expeditiously to the House floor for consideration.

This is being done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction, and the Committee will not in any way be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 443, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, December 7, 2011.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 443, to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska. As you know, the Committee on Natural Resources ordered the bill reported by unanimous consent on October 5, 2011. The Committee on Natural Resources is interested in bringing this legislation before the House of Representatives, and accordingly, appreciates that the Committee on Energy and Commerce will forego action on the bill.

The Committee on Natural Resources concurs that by foregoing consideration of H.R. 443 at this time, the Committee on Energy and Commerce does not waive any jurisdiction over the subject matter contained in this or similar legislation. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce represented on the conference committee. Finally, I would be pleased to include your letter and this response in the bill report filed by the Committee on Natural Resources, as well as the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your cooperation.

Sincerely,

DOC HASTINGS,
Chairman.

With that, Mr. Speaker, I urge the House to pass the bill, and I reserve the balance of my time.

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

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

Mr. SABLAN. Mr. Speaker, I rise in support of H.R. 443.

This bill would provide the Maniilaq Association with clear title to land previously conveyed to it by the United States. Elimination of this restriction would enable the association to obtain loans for improvements to the property without Federal involvement.

I urge my colleagues to support the passage of this legislation, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield such time as he may consume to the author of this legislation, the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding, and I want to thank Chairman HASTINGS and the ranking member for their cooperation in moving this bill.

As you said in your explanation, this is a noncontroversial bill. It solves the problem for the health providers of that area in Kotzebue.

I urge the House to pass the bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 443, 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. HASTINGS of Washington. 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, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RATTLESNAKE MOUNTAIN PUBLIC ACCESS ACT OF 2011

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2719) to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2719

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rattlesnake Mountain Public Access Act of 2011".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Hanford Reach National Monument is public land that belongs to the American people.

(2) The United States Fish and Wildlife Service's Comprehensive Conservation Plan (CCP) for the Monument restricts public access to large portions of the Monument, including the summit of Rattlesnake Mountain.

(3) Public access to Rattlesnake Mountain is important for educational, recreational, historical, scientific, and cultural purposes.

(4) Rattlesnake Mountain reaches an elevation of 3,660 feet above sea level—the highest elevation of the Monument, and provides unparalleled scenic views over the Monument, the Hanford Site, and the Columbia River.

(5) Public access to Rattlesnake Mountain will increase tourism interest in the Monument and will provide economic benefits to local governments.

SEC. 3. ENSURING PUBLIC ACCESS TO THE SUMMIT OF RATTLESNAKE MOUNTAIN IN THE HANFORD REACH NATIONAL MONUMENT.

(a) IN GENERAL.—The Secretary of the Interior shall provide public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes, including—

(1) motor vehicle access; and

(2) pedestrian and other nonmotorized access.

(b) COOPERATIVE AGREEMENTS.—The Secretary of the Interior may enter into cooperative agreements to facilitate access to the summit of Rattlesnake Mountain—

(1) with the Secretary of Energy, the State of Washington, or any local government agency or other interested persons, for guided tours, including guided motorized tours to the summit of Rattlesnake Mountain; and

(2) with the Secretary of Energy, and with the State of Washington or any local government agency or other interested persons, to maintain the access road to the summit of Rattlesnake Mountain.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative

days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 2719 directs the Department of the Interior to ensure public access to the summit of Rattlesnake Mountain, located within the Hanford Reach National Monument in my district.

At 3,600 feet, Rattlesnake Mountain is the highest point in the region and provides unparalleled views for miles around the monument, the Hanford Site, the Columbia River, the Yakima River and the Snake River. Unfortunately, it took the Fish and Wildlife Service 8 years to write a management plan that effectively closed Rattlesnake Mountain to public access, despite the public comments favoring just the opposite.

After I introduced this bill last Congress, the Fish and Wildlife Service, in October of 2010, offered two public tours for selected individuals, and then suddenly reneged on the offer just days before the tours were to occur without any explanation. During a recent committee hearing on the bill, the Interior Department's testimony suggested that the Fish and Wildlife Service supports tours of Rattlesnake Mountain, but very carefully didn't go the extra step of ensuring that the Service would allow public access to the actual summit. Access to the mountain and access to the summit are two entirely different matters.

To put it bluntly, Mr. Speaker, the Service has had more than 10 years, and they say it will take several more before they can determine if it will allow the American people to have access to this portion of the monument. That is why this bill is so necessary to guarantee public access by law and to do so in a very timely manner.

Mr. Speaker, I might add the tallest mountain in Washington State is Mount Rainier at 14,410 feet. People have access up to that under certain conditions. This is a mountain that has no trees; it's 3,600 feet. There's no reason why people shouldn't have access.

And to that extent, the legislation is supported by the Tri-Cities Development Council, the Board of Benton County Commissioners in which Rattlesnake Mountain is located, the Tri-Cities Regional Chamber of Commerce, the Tri-Cities Visitor and Convention Bureau, and the Back Country Horsemen of Washington.

The American people deserve to have access to public lands, including Rattlesnake Mountain. I ask that the House pass this reasonable legislation today to help make that possible.

□ 1910

I note that the bill was reported by the Committee on Natural Resources

by unanimous consent, and I appreciate the support of my colleagues on both sides of the aisle for this measure.

With that, I urge my colleagues to support the bill, and I reserve the balance of my time.

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

I rise in support of H.R. 2719, which would require the Fish and Wildlife Service to provide both motorized and non-motorized access to the summit of Rattlesnake Mountain. This bill would allow the Fish and Wildlife Service to enter into cooperative agreements with the Department of Energy, the State of Washington, local governments, and other interested persons to provide guided tours to the summit of the mountain and to maintain the access road to the summit.

In 2008 the Fish and Wildlife Service completed a management plan for this area and determined that Service-sponsored or led tours and a hiking trail are appropriate and compatible uses of the area. In October, at the hearing on H.R. 2719, the Fish and Wildlife Service supported the bill's intent to provide appropriate public access on Rattlesnake Mountain that gives due consideration to all stakeholders, including the Yakima tribe.

I commend Chairman HASTINGS from Washington for introducing this bill.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 2719.

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. HASTINGS of Washington. 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, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

SUGAR LOAF FIRE PROTECTION DISTRICT LAND EXCHANGE ACT OF 2011

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (S. 278) to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sugar Loaf Fire Protection District Land Exchange Act of 2011".

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term "District" means the Sugar Loaf Fire Protection District of Boulder, Colorado.

(2) FEDERAL LAND.—The term "Federal land" means—

(A) the parcel of approximately 1.52 acres of land in the National Forest that is generally depicted on the map numbered 1, entitled "Sugarloaf Fire Protection District Proposed Land Exchange", and dated November 12, 2009; and

(B) the parcel of approximately 3.56 acres of land in the National Forest that is generally depicted on the map numbered 2, entitled "Sugarloaf Fire Protection District Proposed Land Exchange", and dated November 12, 2009.

(3) NATIONAL FOREST.—The term "National Forest" means the Arapaho-Roosevelt National Forests located in the State of Colorado.

(4) NON-FEDERAL LAND.—The term "non-Federal land" means the parcel of approximately 5.17 acres of non-Federal land in unincorporated Boulder County, Colorado, that is generally depicted on the map numbered 3, entitled "Sugarloaf Fire Protection District Proposed Land Exchange", and dated November 12, 2009.

(5) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 3. LAND EXCHANGE.

(a) IN GENERAL.—Subject to the provisions of this Act, if the District offers to convey to the Secretary all right, title, and interest of the District in and to the non-Federal land, and the offer is acceptable to the Secretary—

(1) the Secretary shall accept the offer; and

(2) on receipt of acceptable title to the non-Federal land, the Secretary shall convey to the District all right, title, and interest of the United States in and to the Federal land.

(b) APPLICABLE LAW.—Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) shall apply to the land exchange authorized under subsection (a), except that—

(1) the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the Federal land; and

(2) as a condition of the land exchange under subsection (a), the District shall—

(A) pay each cost relating to any land surveys and appraisals of the Federal land and non-Federal land; and

(B) enter into an agreement with the Secretary that allocates any other administrative costs between the Secretary and the District.

(c) ADDITIONAL TERMS AND CONDITIONS.—The land exchange under subsection (a) shall be subject to—

(1) valid existing rights; and

(2) any terms and conditions that the Secretary may require.

(d) TIME FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that the land exchange under subsection (a) shall be completed not later than 1 year after the date of enactment of this Act.

(e) AUTHORITY OF SECRETARY TO CONDUCT SALE OF FEDERAL LAND.—

(1) IN GENERAL.—In accordance with paragraph (2), if the land exchange under subsection (a) is not completed by the date that is 1 year after the date of enactment of this Act, the Secretary may offer to sell to the District the Federal land.

(2) VALUE OF FEDERAL LAND.—The Secretary may offer to sell to the District the Federal land for the fair market value of the Federal land.