

publishing its new rules fairly quickly after adoption. However, on more controversial items, the documents are not available until much later. For example, the Lifeline Order, adopted on March 31, was not available for 27 days. That is nearly a month. The FCC should not be delaying publication on controversial items. It should seek to add information and facts to the debate rather than appearing to hide the ball.

At the same time, we recognize that the FCC must have the ability to respond to dissenting statements that criticize its decisions. Accordingly, we worked with our colleagues across the aisle to ensure that the Commission had a fair opportunity to address dissenters and still make sure that new rules became available to the public in a timely way. In other words, so the Commission can do its work back and forth among Commissioners and finish their product. But once they do, they need to make it available to the public. By the way, that is who they work for.

I would like to thank my colleagues on the committee for their work, particularly Representative ELLMERS and Representative MCNERNEY. I believe the bill strikes the right balance, and I urge my colleagues to support Representative ELLMERS' bill.

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

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

Mr. Speaker, I rise in support of H.R. 2589.

For the past several years, Republicans have been focused on changing procedures at the Federal Communications Commission. The bill we are considering today demonstrates that Democrats are willing to work with Republicans on these ideas when the proposals are reasonable.

The original bill had some issues. It would have required the FCC to post within 24 hours of adoption any final rules that were modified by the Commission. Such a requirement was inconsistent with the Administrative Procedure Act, which requires that any rule changes are accompanied by an explanatory text.

Additionally, the original bill failed to take into account the fact that in many cases where there is a delay in the release of FCC decisions, it is usually due to late receipt of dissenting statements from some Commissioners. To fix these issues, Democrats proposed an amendment during markup to provide the FCC to post, in its entirety, the text of any actions within 24 hours after dissenting Commissioners file their statements. The improvements ensure that this bill will not force the FCC to act in conflict with other laws, such as the Administrative Procedure Act.

I urge my colleagues to support the bill.

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

Mr. WALDEN. Mr. Speaker, I urge passage of this fine piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BROOKS of Alabama). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2589, 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. PALLONE. 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.

□ 1500

#### ALABAMA HILLS NATIONAL SCENIC AREA ESTABLISHMENT ACT

Mr. COOK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 496) to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 496

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Alabama Hills National Scenic Area Establishment Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Alabama Hills National Scenic Area, California.
- Sec. 4. Management plan.
- Sec. 5. Land taken into trust for Lone Pine Paiute-Shoshone Reservation.
- Sec. 6. Transfer of administrative jurisdiction.
- Sec. 7. Protection of services and recreational opportunities.
- Sec. 8. Clarification regarding funding.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) MANAGEMENT PLAN.—The term “management plan” means the management plan for the National Scenic Area developed under section 4(a).

(2) MAP.—The term “Map” means the map titled “Proposed Alabama Hills National Scenic Area”, dated September 8, 2014.

(3) MOTORIZED VEHICLES.—The term “motorized vehicles” means motorized or mechanized vehicles and includes, when used by utilities, mechanized equipment, helicopters, and other aerial devices necessary to maintain electrical or communications infrastructure.

(4) NATIONAL SCENIC AREA.—The term “National Scenic Area” means the Alabama Hills National Scenic Area established by section 3(a).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of California.

(7) TRIBE.—The term “Tribe” means the Lone Pine Paiute-Shoshone.

(8) UTILITY FACILITY.—The term “utility facility” means any and all existing and future water system facilities including aqueducts, streams, ditches, and canals; water facilities including, but not limited to, flow measuring stations, gauges, gates, valves, piping, conduits, fencing, and electrical power and communications devices and systems; and any and all existing and future electric generation facilities, electric storage facilities, overhead and/or underground electrical supply systems and communication systems consisting of electric substations, electric lines, poles and towers made of various materials, “H” frame structures, guy wires and anchors, crossarms, wires, underground conduits, cables, vaults, manholes, handholes, above-ground enclosures, markers and concrete pads and other fixtures, appliances and communication circuits, and other fixtures, appliances and appurtenances connected therewith necessary or convenient for the construction, operation, regulation, control, grounding and maintenance of electric generation, storage, lines and communication circuits, for the purpose of transmitting intelligence and generating, storing, distributing, regulating and controlling electric energy to be used for light, heat, power, communication, and other purposes.

#### SEC. 3. ALABAMA HILLS NATIONAL SCENIC AREA, CALIFORNIA.

(a) ESTABLISHMENT.—Subject to valid, existing rights, there is established in Inyo County, California, the Alabama Hills National Scenic Area. The National Scenic Area shall be comprised of the approximately 18,610 acres generally depicted on the Map as “National Scenic Area”.

(b) PURPOSE.—The purpose of the National Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the National Scenic Area managed consistent with section 302(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).

(c) MAP; LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the National Scenic Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical and typographical errors in the map and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(d) ADMINISTRATION.—The Secretary shall manage the National Scenic Area—

(1) as a component of the National Landscape Conservation System;

(2) so as not to impact the future continuing operations and maintenance of any activities associated with valid, existing rights, including water rights;

(3) in a manner that conserves, protects, and enhances the resources and values of the National Scenic Area described in subsection (b); and

(4) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this Act; and

(C) any other applicable laws.

(e) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall allow only such uses of the National Scenic Area as the Secretary determines would support the purposes of the National Scenic Area as described in subsection (b).

(2) RECREATIONAL ACTIVITIES.—Except as otherwise provided in this Act or other applicable law, or as the Secretary determines to be necessary for public health and safety, the Secretary shall allow existing recreational uses of the National Scenic Area to continue, including hiking, mountain biking, rock climbing, sightseeing, horseback riding, hunting, fishing, and appropriate authorized motorized vehicle use.

(3) MOTORIZED VEHICLES.—Except as specified within this Act and/or in cases in which motorized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized vehicles in the National Scenic Area shall be permitted only on—

(A) roads and trails designated by the Director of the Bureau of Land Management for use of motorized vehicles as part of a management plan sustaining a semi-primitive motorized experience; or

(B) on county-maintained roads in accordance with applicable State and county laws.

(f) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this Act creates a protective perimeter or buffer zone around the National Scenic Area.

(2) ACTIVITIES OUTSIDE NATIONAL SCENIC AREA.—The fact that an activity or use on land outside the National Scenic Area can be seen or heard within the National Scenic Area shall not preclude the activity or use outside the boundaries of the National Scenic Area.

(g) ACCESS.—The Secretary shall continue to provide private landowners adequate access to inholdings in the National Scenic Area.

(h) FILMING.—Nothing in this Act prohibits filming (including commercial film production, student filming, and still photography) within the National Scenic Area—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

(B) applicable law; and

(2) in a manner consistent with the purposes described in subsection (b).

(i) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction or responsibilities of the State with respect to fish and wildlife.

(j) LIVESTOCK.—The grazing of livestock in the National Scenic Area, including grazing under the Alabama Hills allotment and the George Creek allotment, as established before the date of enactment of this Act, shall be permitted to continue—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

(B) applicable law; and

(2) in a manner consistent with the purposes described in subsection (b).

(k) OVERFLIGHTS.—Nothing in this Act restricts or precludes flights over the National Scenic Area or overflights that can be seen or heard within the National Scenic Area, including—

(1) transportation, sightseeing and filming flights, general aviation planes, helicopters, hang-gliders, and balloonists, for commercial or recreational purposes;

(2) low-level overflights of military aircraft;

(3) flight testing and evaluation; or

(4) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the National Scenic Area.

(l) WITHDRAWAL.—Subject to this Act's provisions and valid rights in existence on the date of enactment of this Act, including rights established by prior withdrawals, the Federal land within the National Scenic Area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(m) WILDLAND FIRE OPERATIONS.—Nothing in this Act prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the National Scenic Area, consistent with the purposes described in subsection (b).

(n) GRANTS; COOPERATIVE AGREEMENTS.—The Secretary may make grants to, or enter into cooperative agreements with, State, tribal, and local governmental entities and private entities to conduct research, interpretation, or public education or to carry out any other initiative relating to the restoration, conservation, or management of the National Scenic Area.

(o) AIR AND WATER QUALITY.—Nothing in this Act modifies any standard governing air or water quality outside of the boundaries of the National Scenic Area.

(p) UTILITY FACILITIES AND RIGHTS OF WAY.—

(1) Nothing in this Act shall—

(A) affect the existence, use, operation, maintenance (including but not limited to vegetation control), repair, construction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, funding, removal, or replacement of utility facilities or appurtenant rights of way within or adjacent to the National Scenic Area;

(B) affect necessary or efficient access to utility facilities or rights of way within or adjacent to the National Scenic Area subject to subsection (e);

(C) preclude the Secretary from authorizing the establishment of new utility facility rights of way (including instream sites, routes, and areas) within the National Scenic Area in a manner that minimizes harm to the purpose of the National Scenic Area as described in subsection (b)—

(1) with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law; and

(2) subject to such terms and conditions as the Secretary determines to be appropriate.

(2) MANAGEMENT PLAN.—Consistent with this Act, the Management Plan shall establish plans for maintenance of public utility and other rights of way within the National Scenic Area.

**SEC. 4. MANAGEMENT PLAN.**

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with subsection (b), the Secretary shall develop a comprehensive plan for the long-term management of the National Scenic Area.

(b) CONSULTATION.—In developing the management plan, the Secretary shall—

(1) consult with appropriate State, tribal, and local governmental entities, including Inyo County and the Tribe; and

(2) seek input from—

(A) investor-owned utilities, including Southern California Edison Company;

(B) the Alabama Hills Stewardship Group;

(C) members of the public; and

(D) the Los Angeles Department of Water and Power.

(c) INCORPORATION OF MANAGEMENT PLAN.—In developing the management plan, in accordance with this section, the Secretary shall allow, in perpetuity, casual-use mining limited to the use of hand tools, metal detectors, hand-fed dry washers, vacuum cleaners, gold pans, small sluices, and similar items.

(d) INTERIM MANAGEMENT.—Pending completion of the management plan, the Secretary shall manage the National Scenic Area in accordance with section 3.

**SEC. 5. LAND TAKEN INTO TRUST FOR LONE PINE PAIUTE-SHOSONE RESERVATION.**

(a) TRUST LAND.—As soon as practicable after the date of the enactment of this Act, the Secretary shall take the approximately 132 acres of Federal land depicted on the Map as “Lone Pine Paiute-Shoshone Reservation Addition” into trust for the benefit of the Tribe, subject to the following:

(1) CONDITIONS.—The land shall be subject to all easements, covenants, conditions, restrictions, withdrawals, and other matters of record on the date of the enactment of this Act.

(2) EXCLUSION.—The Federal lands over which the right-of-way for the Los Angeles Aqueduct is located, generally described as the 250-foot-wide right-of-way granted to the City of Los Angeles pursuant to the Act of June 30, 1906 (Chap. 3926), shall not be taken into trust for the Tribe.

(b) RESERVATION LAND.—The land taken into trust pursuant to subsection (a) shall be considered part of the reservation of the Tribe.

(c) GAMING PROHIBITION.—Gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be allowed on the land taken into trust pursuant to subsection (a).

**SEC. 6. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

Administrative jurisdiction of the approximately 56 acres of Federal land depicted on the Map as “USFS Transfer to BLM” is hereby transferred from the Forest Service under the Secretary of Agriculture to the Bureau of Land Management under the Secretary.

**SEC. 7. PROTECTION OF SERVICES AND RECREATIONAL OPPORTUNITIES.**

Nothing in this Act shall be construed to limit commercial services for existing and historic recreation uses as authorized by the Bureau of Land Management's permit process. Valid, existing, commercial permits to exercise guided recreational opportunities for the public may continue as authorized on the day before the date of the enactment of this Act.

**SEC. 8. CLARIFICATION REGARDING FUNDING.**

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COOK) and the gentleman from Arizona (Mr. GALLEGO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

I am the author of H.R. 469, which establishes the Alabama Hills National Scenic Area, encompassing roughly 18,000 acres of Federal land in central California, to preserve recreational and other existing uses in the area.

The Alabama Hills are a range of hills and rock formations near the eastern slope of the Sierra Nevada Mountains and are used for a variety of recreational activities.

The area has also served as a popular filming location for films and television shows. "The Gene Autry Show," "The Lone Ranger," "Bonanza," and films including "Tremors," "Glad-i-ator," and "Iron Man" were filmed, in part, in the Alabama Hills area.

The goal of this legislation is protecting this area from the industrial-scale renewable energy development that is occurring in surrounding areas while also protecting existing uses.

The Alabama Hills Stewardship Group as well as off-road groups, the local chamber of commerce, local and national conservation groups, and many others coordinated for over 2 years to share ideas that ultimately formed the basis of H.R. 496.

In addition to the National Scenic Area designation, the bill preserves existing recreational and commercial uses of the area, including grazing, filming, hiking, mountain biking, rock climbing, hunting, fishing, and authorized off-highway vehicle use.

This is a commonsense bill that will successfully balance a wide range of Federal land uses within the National Scenic Area and has extensive local support.

This legislation is the culmination of the work of countless local groups and individuals. I would especially like to thank Inyo County Supervisor Matt Kingsley and Kevin Mazzu of the Alabama Hills Stewardship Group for their tireless efforts to make the Alabama Hills National Scenic Area a reality.

I strongly encourage my colleagues to support its passage.

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

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

Mr. Speaker, I want to congratulate Congressman COOK, a fellow Marine, for crafting this bill before us.

H.R. 496 establishes the Alabama Hills National Scenic Area on approximately 18,000 acres of Federal land in southern California.

Only a few hours' drive from Hollywood, Alabama Hills features a unique collection of rock formations which attracted filmmakers for a decade, as the gentleman has told us. The area's unusual landscape has served as the backdrop for famous television and movie scenes, including "Bonanza" and even now great movies like "Iron Man."

By incorporating the area into BLM's National Conservation Lands, the establishment of the Alabama Hills Na-

tional Scenic Area will promote permanent protection of the area and encourage tourism and recreational activities.

Mr. Speaker, this bill provides a model for responsible conservation that we should seek to emulate across the country.

There are areas of Federal land throughout the United States that deserve enhanced protection. I hope we can continue to work in a bipartisan manner to preserve them for future generations through locally driven conservation initiatives.

For now, I urge my colleagues to support this bill. I look forward to working with the majority to identify additional opportunities to protect public land.

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

Mr. COOK. Mr. Speaker, I have no additional speakers.

I want to thank my colleague for the Marine tag team comment.

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

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COOK) that the House suspend the rules and pass the bill, H.R. 496, as amended.

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

A motion to reconsider was laid on the table.

#### NATIVE AMERICAN CHILDREN'S SAFETY ACT

Mr. COOK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 184) to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 184

*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 "Native American Children's Safety Act".

#### SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3207) is amended by adding at the end the following:

"(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

"(1) DEFINITIONS.—In this subsection:

"(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

"(i) any individual 18 years of age or older; and

"(ii) any individual who the tribal social services agency determines is subject to a

criminal records check under paragraph (2)(A).

"(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

"(i) the parent or Indian custodian cannot have the child returned on demand; and

"(ii)(I) parental rights have not been terminated; or

"(II) parental rights have been terminated but the child has not been permanently placed.

"(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

"(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

"(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

"(D) PARENT.—The term 'parent' means—

"(i) any biological parent of an Indian child; or

"(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

"(E) TRIBAL COURT.—The term 'tribal court' means a court—

"(i) with jurisdiction over foster care placements; and

"(ii) that is—

"(I) a Court of Indian Offenses;

"(II) a court established and operated under the code or custom of an Indian tribe; or

"(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

"(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

"(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

"(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

"(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

"(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

"(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

"(i) requirements that each tribal social services agency described in subparagraph (A)—

"(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

"(II) check any abuse registries maintained by the Indian tribe; and

"(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and