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SABINOSO **WILDERNESS** ACT OF 2008

June 9, 2008

REFERENCE: Vol. 154, No. 94

SECTION: House

SPEAKER: Mr. COSTA; Mr. NUNES; Mr. WESTMORELAND; Mr. UDALL of New Mexico

TEXT: [*5050]

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Mr. COSTA. Mr. Speaker, I move to suspend the rules and pass the bill ([H.R. 2632](#)) to establish the Sabinoso **Wilderness** Area in San Miguel County, NM, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

[H.R. 2632](#)

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 "Sabinoso **Wilderness** Act of 2008".

SEC. 2. DEFINITIONS.

In this Act:

- (1) State.-The term "State" means the State of New Mexico.
- (2) Secretary.-The term "Secretary" means the Secretary of the Interior.

SEC. 3. DESIGNATION OF THE SABINOSO **WILDERNESS**.

(a) In General.-In furtherance of the purposes of the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), there is hereby designated as **wilderness**, and, therefore, as a component of the National **Wilderness** Preservation System, the approximately 15,995 acres of land under the jurisdiction of the Taos Field Office Bureau of Land Management, New Mexico, as generally depicted on the map titled "Sabinoso **Wilderness**" and dated May 7, 2008, and which shall be known as the "Sabinoso **Wilderness**".

(b) Map and Legal Description.-The map and a legal description of the **wilderness** area designated by this Act shall-

(1) be filed by the Secretary with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as soon as practicable after the date of the enactment of this Act;

(2) have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the legal description and map; and

(3) be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) Management of **Wilderness**.-Subject to valid existing rights, the **wilderness** areas designated by this Act shall be administered in accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)) and this Act, except that with respect to the **wilderness** areas designated by this Act, any reference to the effective date of the **Wilderness Act** shall be deemed to be a reference to the date of enactment of this Act and any reference in the **Wilderness Act** to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(d) Incorporation of Acquired Land.-Any land or interest in land located inside the boundaries of the **wilderness** area designated by this Act that is acquired by the United States after the date of enactment of this Act shall become part of the **wilderness** area designated by this Act and shall be managed in accordance with this Act and other applicable law.

(e) Grazing.-Grazing of livestock in the **wilderness** area designated by this Act, where established before the date of enactment of this Act, shall be administered in accordance with the provisions of section 4(d)(4) of the **Wilderness Act** ([16 U.S.C. 1133\(d\)\(4\)](#)) and the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany [H.R. 2570](#) of the 101st Congress (H. Rept. 101-405).

(f) Fish and Wildlife.-As provided in section 4(d)(7) of the **Wilderness Act** ([16 U.S.C. 1133\(d\)\(7\)](#)), nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State, including the regulation of hunting, fishing, and trapping, in the **wilderness** area designated by this Act.

(g) Withdrawal.-Subject to valid existing rights, the **wilderness** area designated by this Act, is withdrawn from-

(1) all forms of entry, appropriation, and disposal under the public land laws;

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(h) Access.-

(1) Consistent with section 5(a) of the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the Secretary shall continue to allow private landowners adequate access to inholdings in the Sabinoso **Wilderness**.

(2) For access purposes, private lands within T. 16 N., R. 23 E. Sections 17, 20 and the north half of Section 21, N.M.M. shall be managed as if an inholding in the Sabinoso **Wilderness**.

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

The Chair recognizes the gentleman from California (Mr. Costa).

General Leave

Mr. COSTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material 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. COSTA. I yield myself such time as I may consume.

[H.R. 2632](#) would designate land managed by the Bureau of Land Management in San Miguel County in northwestern New Mexico as **wilderness**. The land has been managed as **wilderness** study area for more than 20 years. The area involved includes a mix of Ponderosa Pine and riparian vegetation and provides habitat for an array of species including the Red-tailed Hawk, bobcat and fox. The area features opportunities for hunting, hiking and horseback riding, among other activities. The area also includes a 1,000 foot deep canyon, Largo, which connects the Canadian River outside of the area.

I would like to commend my colleague, Representative Tom Udall, for his fine work on this legislation. He has worked tirelessly to gain broad support for the measure before us today. [*5051]

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I would ask my colleagues to support the passage of [H.R. 2622](#), as amended.

I reserve the balance of my time.

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

I think it is appropriate that the Congress continues to do their work, Mr. Speaker. But one of the problems that the Republicans have on this side of the aisle is that consumers are now paying upwards of \$5 per gallon for gas in California and we want to make sure that the Republicans take our time to come to the House floor to make sure that we convey to the American people that the Republicans do have a plan, and part of that plan deals with drilling on Federal lands.

Although a lot of these bills that are coming to the floor deal with **wilderness** that may or may not have oil and gas exploration possibilities, like, for example, the bill that was just passed before the Congress that was in my district, there is no oil and gas in that area, this **wilderness** area I am not sure about. So I do have some concerns about this legislation, because I don't know this part of New Mexico, if there is oil and gas available.

I am concerned, because as we put this into a **wilderness** area, this is another area of America that will then be off-limits for drilling for oil or gas, and, like I said, at a time when Americans are paying \$5 per gallon in some parts of the country, this is a big problem for the Republicans.

With that, I will reserve the balance of my time.

Mr. COSTA. I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, at this time I would like to yield such time as he may consume to my good friend from Georgia (Mr. Westmoreland).

Mr. WESTMORELAND. I thank my friend from California for yielding.

As he mentioned, it is interesting that we are setting aside land for **wilderness** area to be managed by the Federal Government. It came out of the Committee on Natural Resources, but we are not using all our natural resources right now. We are not using some of the oil reserves that we have in ANWR. We are not using the oil that is on the Outer Continental Shelf. We are not using the shale coal that we have that we can convert to oil. We are not using the clean-burning coal to the best of our ability. We are not drilling for natural gas.

So we have natural resources in all parts of our country that we are not taking advantage of, and the reason that we are not taking advantage of it is because the new majority in the 110th Congress is being controlled or partly controlled by the radical environmentalists that don't want us to drive a Suburban or an extended cab pickup. They don't really care if gas goes to \$10 a gallon.

So I would like for this House to concentrate on the majority of Americans who are tired of paying \$4 a gallon for gas. They understood that when the new majority was elected, and you go back to April of 2006 and then minority leader, now Speaker Nancy Pelosi, made the statement, that the Democrats had a commonsense plan for bringing down the skyrocketing price of gas.

Now, I think at the time, Mr. Speaker, gas was about \$2.20 a gallon. I never thought we would lament or say, man, can you remember back when gas was \$2 a gallon? But that is what it was when the Democrat majority said they had this new commonsense approach for bringing down the skyrocketing gas price.

Since that time, gas has almost doubled. It has almost doubled. So where is that commonsense plan? Where is it that we are using some of our natural resources to increase the supply of production that we have in this country, rather than being so dependent on foreign oil?

Now, the problem is that the majority passed in January of 2007 an energy bill, and that energy bill, which many on our side of the aisle called the "no-energy bill," went into effect. So we thought that that was the secret plan. Mr. Speaker, we thought that was this commonsense approach.

Once we looked at the bill, we saw that gasoline was mentioned about five or six times, that crude oil was mentioned about maybe 12 times, and that nothing was mentioned about domestic drilling, nothing was mentioned about increasing the production or using our natural resources to make us less dependent on foreign oil. But what we saw were words like "swimming pool" was used 47 times, "lamp" or "light bulb" was used 350 times, "renewable energy" was used a number of times, "greenhouse gases" was used a number of times, but nothing was really in that "no-energy bill" that helps us today.

I think we see evidence of that today with gas being over \$4 a gallon. There was nothing in there to help us bring down the price of gas, number one, and that was where the commonsense approach was to be, was to bring down the skyrocketing price of gasoline. Not only did we not bring it down, it has doubled.

So where is this commonsense approach? I think the American people are ready to see it. I know my constituents are. When I go home, just like we have been home during the Memorial Day break, I had people ask me, what are we doing about increasing our domestic production? What are we doing about having the ability to become less dependent on foreign oil?

I have to explain to them the "no-energy bill" that was passed by this Congress and the things

that it mentioned and the things that were there, and really and truly, Mr. Speaker, they think I am lying to them or kidding them, that that is the commonsense plan that the majority had, because it wasn't a plan at all. It was some type of smoke and mirrors that was sold to the American people. Now that gas is more than twice what it was, what are we to tell them? Because I have not seen anything come out of the Democratic side.

Now we have come up with an energy proposal that makes sense. It allows us to use some of our natural resources. What the other part that my constituents don't believe is that we as a government will not allow drilling off the coast of Florida, and yet China is fixing to start drilling 45 miles off our coast.

They can use the slant drilling technology and probably get deeper into our oil reserves. Now, what are we to tell people? What am I to tell my constituents that this Congress is doing about that? They are doing nothing about it, not one single thing.

We are naming post offices, we are coming up with **wilderness** areas and many more days of honoring somebody or recognizing a week or recognizing a month, but we are not doing anything on this House floor, nor have we done anything on this House floor, to really bring down the price of gas, crude oil or come up with a commonsense plan for that American worker out there that's going to the pump, costing him \$100 to fill up with gas.

Now, I don't know the answer to it, but I would suspect that if we pass some type of legislation that said we were going to start drilling, whether it be in ANWR, Outer Continental Shelf, wherever it is, that the oil speculators, that the bottom would fall out of that because people would say, you know what? They are finally doing something to become less dependent on somebody else's oil production.

So we don't have to hold them hostage anymore, and those prices would come down, just at the fact that we passed the legislation-not that we put the first drill bit in the ground-but just that these oil speculators and the American people saw that their elected officials were wanting to do something to take a positive step that we can meet our own energy needs.

Mr. Speaker, I want to ask, what's wrong with that? I don't think there is anything wrong with that. I think that the people that elect us deserve to know what our plan is. The Republican side has come out with a plan. They say, look, we are going to take advantage of our natural resources. We are going to take advantage of the things that we were God given in this land. We are going to take advantage of our oil reserves, of our natural gas, of our abundance of coal.

We are going to take advantage of those things, and we are going to use the technology that we have been so good about coming up with. We are going to take and convert this shale to oil, which Hitler did in the late 1920s-in the late 1920s-and we don't think that we can do that today? [*5052]

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There is a problem, and we need the courage, the political courage and the political guts to stand up and say we are going to-or at least I hope the majority party will go-we are going to go against those people that we owe so much to for being in the majority, and say we are going to do what's good for the American people. We are going to use our own natural resources. We are going to do what the people that elected us expect us to do, and that's what's the best for them, not the best for special interest groups.

I just hope that during this next conversation that we have on these upcoming bills that we will be on this floor discussing this issue, because we have not really had a debate on it. I wish that the majority party would bring a bill to this floor and have an open rule so we could vote on

some of these things that are so important.

The truth of it is that our constituency doesn't really know how we believe on some of these issues, because the majority has never given us the ability to vote on it. Let's vote on drilling on ANWR, just a straight up or down vote, not anything else tied to it. Let's drill on our natural gas. Let's vote on our natural gas drilling, not anything else tied, just an up or down. Let's drill on the converting of coal-to-liquid oil. Let's vote on that, just an up or down, rather than tie so many things that's so confusing to the American people.

That's what I hope we will do.

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

Mr. COSTA. Mr. Speaker, reclaiming the balance of my time, how much time do I have remaining and the opposition?

The SPEAKER pro tempore. The gentleman from California (Mr. Costa) has 19 minutes. The gentleman from California (Mr. Nunes) has 10 minutes.

Mr. COSTA. Mr. Speaker, as Sergeant Friday once said, for those of us who remember back to our youth and the old television series, he used to say, "Just the facts, Ma'am."

While we are debating the importance of a 20-year study that puts about an additional set-aside of land in New Mexico for a **wilderness** study, it seems that we have gotten off track here. But let me for the record, as Sergeant Friday once said, just state the facts.

Between 1999 and 2007, the number of drilling permits issued beginning with the Clinton administration, during the Bush administration to present day issued an increase in development of public lands on application of permits to drill increasing 361 percent. Let me repeat that. In the last 8-plus years we have increased the applications for permits to drill in public lands, both onshore and offshore, 361 percent.

The Bureau of Land Management has now issued over 28,776 permits to drill on public land. Yet at that time, today, only 18,954 wells have been actually drilled. In other words, 10,000 wells have been stockpiled in terms of the permits that have not been drilled.

In addition to that, when we talk about making additional available land, whether it's on the Florida coast or the California coast, we know there is opposition to that among both parties, but the fact of the matter is, again-as Sergeant Friday used to say, "Just the facts, Ma'am"-the area that's available for energy companies to develop is 47.5 million acres onshore on Federal lands that are currently being leased by oil and gas companies.

Today, only about 13 million of those acres are actually in production. Again, there are over 47.5 million acres that are currently available for use to be drilled for oil and gas. Only about 13 million acres are actually being utilized.

Clearly, there are a multitude of solutions that deal with this painful, painful energy dilemma that we find ourselves in today, not just in the United States but in other parts of the world. There are short-term solutions and there are long-term solutions.

Frankly, in my opinion, the sooner we get past this blame game-because if my memory serves me correctly, the loyal opposition was in control for 12 years to develop this comprehensive energy policy. We have been in the majority for less than a year and a half. Yet all of the blame somehow is seemingly being placed on us. The issue on ANWR that was talked about earlier passed this House in previous Republican-controlled houses, only to never see the light of day over in the Senate.

So, we can play the blame game, but what Americans want when I go to my constituencies, my district, is us to fashion bipartisan solutions that are commonsense that involve both the short-term dilemma that we are in and long-term solutions. Frankly, when we come together, in my view, to put together that sort of a bipartisan comprehensive effort is when I think we are going to be addressing the long-term needs for our country.

Now, the bill before us obviously has nothing to do with the discussion we have just had. For 20 years, 20 years, Congressman Tom Udall and his colleagues in New Mexico have worked diligently to determine whether or not these lands could be put aside. That's what [H.R. 2632](#) does, as amended.

I urge my colleagues to support this measure before us.

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

Mr. NUNES. Mr. Speaker, I think the issue here is really not about what is available for exploration and the amount of wells that have been able to be drilled on what's been allowed for exploration. The key here, as most people know, is that there is literally hundreds of billions of barrels of oil that is totally off-limits for us to research.

I know that my friend from California is part of the solution, because he is one of the few Members of the Democrat Caucus that actually believes in drilling for oil. I know that he agrees with drilling in Alaska, and he agrees with drilling in the gulf and other places where we have tremendous resources of oil.

So really the key here, like Mr. Westmoreland said earlier, is we need to have open time here on the floor with bills that come to the floor with open rules so that we can allow the majority to govern, meaning the majority of Members, not just one party.

The longer that the Democrats continue to take bills up to the Rules Committee and send them down here to the floor to where we have no chance to offer amendments, we never have an opportunity to increase exploration. I believe that the American people, now that gas is soon to be \$5 a gallon, that the American people have had enough of us buying all of our oil from the Middle East and South America and Africa. They have had enough. They are fed up with it.

One-third of our trade balance is basically because of the money that we send out of this country for importing oil. What I am hoping to get back to is some reasonable common sense here in the Congress to where Republicans and Democrats can work together and build a majority that will allow drilling in our own country, because I believe that's what the American people are asking for.

Until the Speaker of the House and the rest of the leadership decide that they want to let the majority rule, a majority of Members of Congress and not just one party, we are going to continue to pay high prices at the pump.

Mr. Speaker, I would like to yield to my good friend from Georgia (Mr. Westmoreland) for as much time as he may consume.

Mr. WESTMORELAND. Thank you for yielding.

To my other friend from California over there, I know that the gentleman is the chairman of the Subcommittee on Energy and Mineral Resources, and I think that subcommittee has jurisdiction over the drilling in ANWR and the Outer Continental Shelf. Right now only 3 percent of the Outer Continental Shelf is leased for oil and natural gas, and only 6 percent of the Bureau of Land Management public lands are leased.

So I think that it would be a good opportunity for the gentleman, for just my suggestion, that we look at that. I know that it has been looked at many times before.

The gentleman mentioned about the Republicans being in control for 12 years, I was only here for 2 of those years, so I was quite disappointed too that we never passed a comprehensive energy plan. You know, I am very concerned about that, and I hate that.

What I am proud of is that right now that we have come up with an energy plan that would help with our dependence on foreign oil, and maybe it took 12 years for us to wake up. I certainly hope that the majority party that's in [*5053]

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control now, that it doesn't take them 12 years to wake up to understand that we need an energy policy.

Now, if it's going to take them 12 years to wake up, we will be paying \$12 a gallon like they are paying in the Netherlands or \$9 a gallon like they are paying in Germany. I know that would make some of their base awfully happy if we were paying those gas prices, but your average American family, the man and the woman out there trying to make a living and trying to provide for their family, does not like paying \$4 a gallon for gasoline when we are not doing anything, anything to reduce our dependence on that foreign oil.

I agree with Mr. Nunes from California in the fact that we need to bring some bills to the floor. We are doing 20 suspension bills on this floor today. The U.S. Congress is addressing 20 bills on this floor today, that most of them will be passed by a voice vote, and most Americans won't even know what we did.

Some of these pieces of legislation should be going through a regular rule, a regular order of process, where we can come in and make some amendments on some of these. There may be in these **wilderness** areas, there may be some spots where we have the potential for natural gas or oil, where we have potential for solar, where we have potential for wind power. Those are being restricted on just about every one of these pieces of legislation that we are doing today.

So let's have an open, honest-that's another promise that the majority made to the American people, that this was going to be the most open, honest Congress in history. I hate to say this, and I was only here for 2 years when we were in control, but that's not true. That's another falsehood and whether they did it purposefully or not, that this is not the most open, honest Congress that this country has ever seen, and it does not or has not or not yet come up with a commonsense approach to bring down the skyrocketing cost of gasoline when it was \$2.20 a gallon, and now it's over \$4 a gallon.

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

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to encourage my colleagues to support passage of this legislation to designate as **wilderness** the lands in and near the Sabinoso **Wilderness** Study Area (WSA), located in my district. The Sabinoso WSA is one of New Mexico's special places and deserves to be protected and accessible to all.

The Sabinoso WSA comprises approximately 20,000 acres and is situated in San Miguel County, 40 miles east of Las Vegas, New Mexico, and 25 miles northwest of Conchas Dam State Park. During a trip I took to the area, I was immediately struck by the ecological, scenic and recreational value of the land. Sabinoso's soil includes a thick section of colorful sedimentary rocks, typical of desert rock formations throughout the West. The area's scenic and densely vegetated landscape is also home to a rich diversity of wildlife, such as red-tailed hawks, western scrub-jays, broad-tailed hummingbirds, mule deer, bobcats, and gray foxes. All of these natural

resources will provide outstanding opportunities to hunt, hike, horseback ride, take photographs, and simply experience the unspoiled lands of our ancestors.

During the 2007 session of the New Mexico State Legislature, House Memorial 53, which calls on the New Mexico Congressional delegation to support the establishment of the Sabinoso **Wilderness** Area, was introduced by State Representative Thomas Garcia and passed unanimously by a vote of 66-0.

Unfortunately, this beautiful piece of land is currently inaccessible to the general public. Designating the area will help provide access to the land for everyone. Opening Sabinoso will also create important new economic development opportunities for the surrounding communities.

The bill that comes to the floor today is a result of compromise and open dialogue. It is a bill that addresses the concerns of, and is supported by, all parties involved. It is an example of the positive results that come from Federal agencies, local landowners, and **wilderness** groups working together towards a common goal. I would like to thank Chairman Grijalva and his staff for their tireless efforts to find compromise between these different groups, and to ensure that the rights of local private landowners would not be compromised.

I again encourage my colleagues to support this bill to establish a **wilderness** area that will help to preserve the natural beauty and cultural heritage of New Mexico.

Mr. NUNES. Mr. Speaker, I have no more speakers on this bill, and I yield back the balance of my time.

Mr. COSTA. Mr. Speaker, I would ask my colleagues to support the passage of [H.R. 2632](#), as amended, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. Costa) that the House suspend the rules and pass the bill, [H.R. 2632](#), 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.