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CALIFORNIA DESERT AND MOUNTAIN HERITAGE ACT OF 2008

June 9, 2008

REFERENCE: Vol. 154, No. 94

SECTION: House

SPEAKER: Mr. COSTA; Mr. NUNES; Mr. WESTMORELAND

TEXT: [*5053]

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Mr. COSTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3682) to designate certain Federal lands in Riverside County, California, as **wilderness**, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3682

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 title may be cited as the "California Desert and Mountain Heritage Act of 2008".

(b) Table of Contents.-The table of contents for this Act is as follows:

Sec.1.Short title; table of contents.

TITLE I-DESIGNATION AND EXPANSION OF **WILDERNESS** AREAS

Sec.101.Definition of Secretary.

Sec.102.Designation of **wilderness**, Cleveland and San Bernardino National Forests, Joshua Tree National Park, and Bureau of Land Management land in Riverside County, California.

Sec.103.Joshua Tree National Park potential **wilderness**.

Sec.104.Administration of **wilderness**.

TITLE II-WILD AND SCENIC RIVER DESIGNATIONS

Sec.201.Wild and scenic river designations, Riverside County, California.

TITLE III-ADDITIONS AND TECHNICAL CORRECTIONS TO SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT

Sec.301.Boundary adjustment, Santa Rosa and San Jacinto Mountains National Monument.

Sec.302.Technical amendments to the Santa Rosa and San Jacinto Mountains National Monument Act of 2000.

TITLE I-DESIGNATION AND EXPANSION OF **WILDERNESS** AREAS

SEC. 101. DEFINITION OF SECRETARY.

In this title, the term "Secretary" means-

(1) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(2) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

SEC. 102. DESIGNATION OF **WILDERNESS**, CLEVELAND AND SAN BERNARDINO NATIONAL FORESTS, JOSHUA TREE NATIONAL PARK, AND BUREAU OF LAND MANAGEMENT LAND IN RIVERSIDE COUNTY, CALIFORNIA.

(a) Agua Tibia **Wilderness** Additions.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land in the Cleveland National Forest and certain land administered by the Bureau of Land Management in Riverside County, California, together comprising approximately 2,053 acres, as generally depicted on the map titled "Proposed Addition to Agua Tibia **Wilderness**", and dated May 9, 2008, is designated as **wilderness** and is incorporated in, and shall be deemed to be a part of, the Agua Tibia **Wilderness** designated by section 2(a) of [Public Law 93-632 \(88 Stat. 2154; 16 U.S.C. 1132 note\)](#).

(b) Cahuilla Mountain **Wilderness**.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land in the San Bernardino National Forest, California, comprising approximately 5,585 acres, as generally depicted on the map titled "Cahuilla Mountain Proposed **Wilderness**", and dated May 1, 2008, is designated as **wilderness** and, therefore, as a component of the National **Wilderness** Preservation System, which shall be known as the "Cahuilla Mountain **Wilderness**".

(c) South Fork San Jacinto **Wilderness**.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land in the San Bernardino National Forest, California, comprising approximately 20,217 acres, as generally depicted on the map titled "South Fork San Jacinto Proposed **Wilderness**", and dated May 1, 2008, is designated as **wilderness** and, therefore, as a component of the National **Wilderness** Preservation System, which shall be known as the "South Fork San Jacinto **Wilderness**".

(d) Santa Rosa **Wilderness** Additions.-In accordance with the **Wilderness** Act ([16 U.S.C. \[*5054\]](#)).

[1131 et seq.](#)), certain land in the San Bernardino National Forest, California, and certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 2,149 acres, as generally depicted on the map titled "Santa Rosa-San Jacinto National Monument Expansion and Santa Rosa **Wilderness** Addition", and dated March 12, 2008, is designated as **wilderness** and is incorporated in, and shall be deemed to be a part of, the Santa Rosa **Wilderness** designated by section 101(a)(28) of [Public Law 98-425 \(98 Stat. 1623; 16 U.S.C. 1132](#) note) and expanded by paragraph (59) of section 102 of [Public Law 103-433 \(108 Stat. 4472; 16 U.S.C. 1132](#) note).

(e) Beauty Mountain **Wilderness**.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 15,621 acres, as generally depicted on the map titled "Beauty Mountain Proposed **Wilderness**", and dated April 3, 2007, is designated as **wilderness** and, therefore, as a component of the National **Wilderness** Preservation System, which shall be known as the "Beauty Mountain **Wilderness**".

(f) Joshua Tree National Park **Wilderness** Additions.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land in Joshua Tree National Park, comprising approximately 36,700 acres, as generally depicted on the map numbered 156/80,055, and titled "Joshua Tree National Park Proposed **Wilderness** Additions", and dated March 2008, is designated as **wilderness** and is incorporated in, and shall be deemed to be a part of, the Joshua Tree **Wilderness** designated by section 1(g) of Public Law 94-567 (90 Stat. 2692; [16 U.S.C. 1132](#) note).

(g) Orocopia Mountains **Wilderness** Additions.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 4,635 acres, as generally depicted on the map titled "Orocopia Mountains Proposed **Wilderness** Addition", and dated May 8, 2008, is designated as **wilderness** and is incorporated in, and shall be deemed to be a part of, the Orocopia Mountains **Wilderness** as designated by paragraph (44) of section 102 of [Public Law 103-433 \(108 Stat. 4472; 16 U.S.C. 1132](#) note), except that the **wilderness** boundaries established by this subsection in Township 7 South are intended to exclude-

(1) a corridor 250 feet north of the centerline of the Bradshaw Trail;

(2) a corridor 250 feet from both sides of the centerline of the vehicle route in the unnamed wash that flows between the Eagle Mountain Railroad on the south and the existing Orocopia Mountains **Wilderness** boundary; and

(3) a corridor 250 feet from both sides of the centerline of the vehicle route in the unnamed wash that flows between the Chocolate Mountain Aerial Gunnery Range on the south and the existing Orocopia Mountains **Wilderness** boundary.

(h) Palen/McCoy **Wilderness** Additions.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 22,645 acres, as generally depicted on the map titled "Palen-McCoy Proposed **Wilderness** Additions", and dated May 8, 2008, is designated as **wilderness** and is incorporated in, and shall be deemed to be a part of, the Palen/McCoy **Wilderness** as designated by paragraph (47) of section 102 of [Public Law 103-433 \(108 Stat. 4472; 16 U.S.C. 1132](#) note).

(i) Pinto Mountains **Wilderness**.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 24,404 acres, as generally depicted on the map titled "Pinto Mountains Proposed **Wilderness**", and dated February 21, 2008, is designated as **wilderness** and, therefore, as a component of the National **Wilderness** Preservation System, which shall be

known as the "Pinto Mountains **Wilderness**".

(j) Chuckwalla Mountains **Wilderness** Additions.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 12,815 acres, as generally depicted on the map titled "Chuckwalla Mountains Proposed **Wilderness** Addition", and dated May 8, 2008, is designated as **wilderness** and is incorporated in, and shall be deemed to be a part of the Chuckwalla Mountains **Wilderness** as designated by paragraph (12) of section 102 of [Public Law 103-433 \(108 Stat. 4472; 16 U.S.C. 1132 note\)](#).

(k) Maps and Descriptions.-

(1) In general.-As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and legal description of each **wilderness** area and **wilderness** addition designated by this section with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) Force of law.-A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map and legal description.

(3) Public availability.-Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the appropriate office of the Secretary.

(l) Utility Facilities and Corridors.-The **wilderness** areas and **wilderness** additions designated by this section are intended to exclude rights of way for existing utility facilities, such as power, gas, and telecommunications lines, and associated structures and access roads, and existing designated utility corridors. Nothing in this section or the **Wilderness Act** shall be construed to prohibit construction, operation, and maintenance, using standard industry practices, of existing utility facilities located outside of the **wilderness** areas and **wilderness** additions designated by this section.

SEC. 103. JOSHUA TREE NATIONAL PARK POTENTIAL **WILDERNESS**.

(a) Designation of Potential **Wilderness**.-Certain land in the Joshua Tree National Park, comprising approximately 43,300 acres, as generally depicted on the map numbered 156/80,055, and titled "Joshua Tree National Park Proposed **Wilderness** Additions", and dated March 2008, is designated potential **wilderness** and shall be managed by the Secretary of the Interior insofar as practicable as **wilderness** until such time as the land is designated as **wilderness** pursuant to subsection (b).

(b) Designation as **Wilderness**.-The land designated potential **wilderness** by subsection (a) shall be designated as **wilderness** and incorporated in, and be deemed to be a part of, the Joshua Tree **Wilderness** designated by section 1(g) of Public Law 94-567 (90 Stat. 2692; [16 U.S.C. 1132 note](#)), effective upon publication by the Secretary of the Interior in the Federal Register of a notice that-

(1) all uses of the land within the potential **wilderness** prohibited by the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)) have ceased; and

(2) sufficient inholdings within the boundaries of the potential **wilderness** have been acquired to establish a manageable **wilderness** unit.

(c) Map and Description.-

(1) In general.-As soon as practicable after the date on which the notice required by subsection

(b) is published in the Federal Register, the Secretary shall file a map and legal description of the land designated as **wilderness** and potential **wilderness** by this section with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) Force of law.-The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map and legal description.

(3) Public availability.-Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the appropriate office of the Secretary.

SEC. 104. ADMINISTRATION OF **WILDERNESS**.

(a) Management.-Subject to valid existing rights, the land designated as **wilderness** or as a **wilderness** addition by this title shall be administered by the Secretary in accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), except that-

(1) any reference in that Act to the effective date of that Act shall be deemed to be a reference to-

(A) the date of the enactment of this Act; or

(B) in the case of the **wilderness** addition designated by subsection (b) of section 513, the date on which the notice required by such subsection is published in the Federal Register; and

(2) any reference in that Act to the Secretary of Agriculture shall be deemed to be a reference to the Secretary that has jurisdiction over the land.

(b) Incorporation of Acquired Land and Interests.-Any land within the boundaries of a **wilderness** area or **wilderness** addition designated by this title that is acquired by the United States shall-

(1) become part of the **wilderness** area in which the land is located; and

(2) be managed in accordance with this title, the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), and any other applicable law.

(c) Withdrawal.-Subject to valid rights in existence on the date of enactment of this Act, the land designated as **wilderness** by this title 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.

(d) Fire Management and Related Activities.-

(1) In general.-The Secretary may take such measures in a **wilderness** area or **wilderness** addition designated by this Act as are necessary for the control and prevention of fire, insects, and diseases (including the use of prescribed burning, priority treatments, or fuels reduction) in accordance with section 4(d)(1) of the **Wilderness** Act ([16 U.S.C. 1133\(d\)\(1\)](#)) and House Report 98-40 of the 98th Congress.

(2) Funding priorities.-The designation of **wilderness** areas and **wilderness** additions by this

title is not intended to alter the priorities afforded the land so designated in allocating funds for fire and related fuels management.

(3) Revision and development of local fire management plans.-As soon as practicable after the date of the enactment of this Act, the Secretary shall amend the local fire management plans that apply to the Santa Rosa **Wilderness** and Agua Tibia **Wilderness**, and prepare local fire management plans for the Beauty Mountain **Wilderness**, Cahuilla Mountain **Wilderness**, and South Fork San Jacinto **Wilderness** Area, to identify appropriate local officials to take such actions in the **wilderness** areas as are necessary for fire prevention and watershed protection consistent with paragraph (1), including best management practices for fire pre-suppression and fire suppression measures and techniques.

(4) State or local agencies.-Consistent with paragraph (1) and other applicable Federal law, the Secretary may delegate by written agreement primary fire fighting authority and related public safety activities to an appropriate State or local agency.

(e) Grazing.-Grazing of livestock in a **wilderness** area or **wilderness** addition designated by [*5055]

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this title 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 House Report 96-617 to accompany H.R. 5487 of the 96th Congress.

(f) Native American Uses and Interests.-

(1) Effect of designation.-Nothing in the designation of the Cahuilla Mountain **Wilderness** by this title affects the unique cultural artifacts and sacred sites of the Indian tribes that are contained within that **wilderness** area, as identified by Indian tribes and the Forest Service.

(2) Access and use.-To the extent practicable, the Secretary shall ensure access to the Cahuilla Mountain **Wilderness** by members of an Indian tribe for traditional cultural purposes. In implementing this subsection, the Secretary, upon the request of an Indian tribe, may temporarily close to the general public use of one or more specific portions of the **wilderness** area in order to protect the privacy of traditional cultural activities in such areas by members of the Indian tribe. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95-341 ([42 U.S.C. 1996](#)), commonly referred to as the American Indian Religious Freedom Act, and the **Wilderness** Act (11 U.S.C. 1131 et seq.).

(3) Indian tribe defined.-In this subsection, the term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians which is recognized as eligible by the Secretary of the Interior for the special programs and services provided by the United States to Indians because of their status as Indians.

TITLE II-WILD AND SCENIC RIVER DESIGNATIONS

SEC. 201. WILD AND SCENIC RIVER DESIGNATIONS, RIVERSIDE COUNTY, CALIFORNIA.

Section 3(a) of the Wild and Scenic Rivers Act ([16 U.S.C. 1274\(a\)](#)) is amended by adding at the end the following new paragraphs:

"(X) North Fork San Jacinto River, California.-The following segments of the North Fork San Jacinto River in the State of California, to be administered by the Secretary of Agriculture:

"(A) The 2.12-mile segment from the source of the North Fork San Jacinto River at Deer Springs

in Mt. San Jacinto State Park to the State Park boundary, as a wild river.

"(B) The 1.66-mile segment from the Mt. San Jacinto State Park boundary to the Lawler Park boundary in section 26, township 4 south, range 2 east, San Bernardino meridian, as a scenic river.

"(C) The 0.68-mile segment from the Lawler Park boundary to its confluence with Fuller Mill Creek, as a recreational river.

"(D) The 2.15-mile segment from its confluence with Fuller Mill Creek to .25 miles upstream of the 5S09 road crossing, as a wild river.

"(E) The 0.6-mile segment from .25 miles upstream of the 5S09 Road crossing to its confluence with Stone Creek, as a scenic river.

"(F) The 2.91-mile segment from the Stone Creek confluence to the northern boundary of section 17, township 5 south, range 2 east, San Bernardino meridian, as a wild river.

"(X) Fuller Mill Creek, California.-The following segments of Fuller Mill Creek in the State of California, to be administered by the Secretary of Agriculture:

"(A) The 1.2-mile segment from the source of Fuller Mill Creek in the San Jacinto **Wilderness** to the Pinewood property boundary in section 13, township 4 south, range 2 east, San Bernardino meridian, as a scenic river.

"(B) The 0.9-mile segment in the Pine Wood property, as a recreational river.

"(C) The 1.4-mile segment from the Pinewood property boundary in section 23, township 4 south, range 2 east, San Bernardino meridian, to its confluence with the North Fork San Jacinto River, as a scenic river.

"(X) Palm Canyon Creek, California.-The 8.1-mile segment of Palm Canyon Creek in the State of California from the southern boundary of section 6, township 7 south, range 5 east, San Bernardino meridian, to the San Bernardino National Forest boundary in section 1, township 6 south, range 4 east, San Bernardino meridian, to be administered by the Secretary of Agriculture as a wild river, and the Secretary shall enter into a cooperative management agreement with the Agua Caliente Band of Cahuilla Indians to protect and enhance river values.

"(X) Bautista Creek, California.-The 9.8-mile segment of Bautista Creek in the State of California from the San Bernardino National Forest boundary in section 36, township 6 south, range 2 east, San Bernardino meridian, to the San Bernardino National Forest boundary in section 2, township 6 south, range 1 east, San Bernardino meridian, to be administered by the Secretary of Agriculture as a recreational river."

TITLE III-ADDITIONS AND TECHNICAL CORRECTIONS TO SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT

SEC. 301. BOUNDARY ADJUSTMENT, SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT.

Section 2 of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 ([Public Law 106-351](#); 114 U.S.C. 1362; [16 U.S.C. 431](#) note) is amended by adding at the end the following new subsection:

"(e) Expansion of Boundaries.-In addition to the land described in subsection (c), the boundaries of the National Monument shall include the following lands identified as additions to the National

Monument on the map titled `Santa Rosa-San Jacinto National Monument Expansion and Santa Rosa **Wilderness** Addition', and dated March 12, 2008:

"(1) The `Santa Rosa Peak Area Monument Expansion'.

"(2) The `Snow Creek Area Monument Expansion'.

"(3) The `Tahquitz Peak Area Monument Expansion'.

"(4) The `Southeast Area Monument Expansion', which is designated as **wilderness** in section 512(d), and is thus incorporated into, and shall be deemed part of, the Santa Rosa **Wilderness**."

SEC. 302. TECHNICAL AMENDMENTS TO THE SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT ACT OF 2000.

Section 7(d) of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 ([Public Law 106-351](#); 114 U.S.C. 1362; [16 U.S.C. 431](#) note) is amended by striking "eight" and inserting "a majority of the appointed".

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.

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

H.R. 3682 will designate more than 180,000 acres of new and potential **wilderness** in Riverside County, California. H.R. 3682 also will add 31 miles of new river segments to the National Wild and Scenic River System and add nearly 8,400 acres to the Santa Rosa-San Jacinto Mountains National Monument.

This legislation is carried by Representative Bono Mack, the author of the bill. We want to commend her on her diligence. She has spent years crafting this legislation. Her hard work has paid off with a conservation achievement that takes careful account of fire concerns, which are oftentimes a part of the natural conditions of that area, recreational interests and all of the magnificent resources that lie within her beautiful district.

This measure, H.R. 3682, will protect dramatic mountain vistas and vast desert landscapes, coastal sage and scrub and chaparral, and ancient Joshua trees. The areas covered by the bill include the largest ironwood ecosystem in the California desert, and one of the most pristine watersheds in southwestern California.

This legislation has broad support from over 400 organizations and businesses including local, State and national **wilderness** groups, as well as the National Hispanic Environmental Council.

Mr. Speaker, I urge Members to support this measure, H.R. 3682, as amended.

I reserve the balance of my time.

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

I want to commend Congresswoman Mary Bono Mack for including the language in this **wilderness** legislation that will allow fuels reduction and prescribed burns in **wilderness** areas, just as the 1964 **Wilderness** Act allows.

Also commendable is codifying an energy corridor which will allow renewable energy to be created and transferred through this new **wilderness** area.

I would like to thank Chairman Rahall and his staff for allowing this language to be included in the bill, and I look forward to seeing this commonsense language included in future **wilderness** legislation. It will help protect lives and help provide energy which I think is critical as we begin to look at new **wilderness** areas being created around the country.

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

Mr. COSTA. I reserve.

Mr. NUNES. Mr. Speaker, I would like to yield such time as he may consume to the gentleman from Georgia (Mr. Westmoreland).

Mr. WESTMORELAND. I thank my friend for yielding.

It was mentioned a while ago about all of the different land that was available for oil companies to drill in, that they weren't taking advantage of, and I would like to quote some figures, Mr. Speaker, for you and for the American [*5056]

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people to hear because one of the things, I guess, that is part of this secret plan for our energy is to tax oil companies. Somehow the majority has got in their mind by taxing companies, the price of their product is going to come down. I don't understand that, and I know that most of the people in the Third Congressional District of Georgia do not understand that, and I am sure there are probably people all over the world that don't understand that. But that seems to be their answer to everything, is to raise taxes.

When you talk about, Mr. Speaker, domestic oil and gas production, in 2006 the top 27 U.S. energy producing companies paid \$81.5 billion in corporate Federal income taxes. That is \$81.5 billion in corporate taxes, an 81 percent increase over 2004. In addition, they paid \$3.1 billion in State and local government taxes. Those 27 companies paid 21 percent of the total corporate income taxes collected by this Federal Government in 2006. These 27 companies paid 21 percent of all the corporate taxes paid into the Federal Government.

Yet these 27 companies make up one one-thousandth of the domestic corporate filers. And yet they paid 21 percent of all the total corporate Federal taxes paid into our treasury.

Total non-income taxes paid in 2006 by the big 27 was \$8.2 billion, and that was a 46 percent increase over 2004. Excise taxes collected by these same 27 companies on behalf of the Federal, State and local governments total \$48.1 billion in 2006.

In 2006, these 27 companies were responsible for 44 percent of the total U.S. crude oil and natural gas production, and 81 percent of the domestic refining capacity.

For fiscal year 2006, \$10.48 billion was collected in the form of bonus bids, rent and royalties from oil and gas companies operating on Federal lands.

The OCS, the Outer Continental Shelf, covers 1.7 billion acres of which 85 percent is off-limits to drilling. However, the Minerals Management Service broke records for bonus bids in several recent OCS lease sales. Last summer in the western gulf off the shore of Texas they received more than \$289.9 million for tracts totaling 18 million acres. In February 2008 they received \$2.6 billion for leases covering approximately 2.7 million acres in the Chukchi Sea. And in March, they received \$3.7 billion in bonus bids in the central and eastern Gulf of Mexico.

The CRS estimates that ANWR production would deliver \$191.1 billion in corporate income tax and royalty to the Federal treasury at today's prices.

So while they may not be drilling, you can see that 85 percent of the Federal land is off-limits. Maybe the land that they have to drill on doesn't have any oil reserves under it, any natural gas under it, any coal under it. That would be something, Mr. Speaker, for the chairman of the subcommittee to tell us, if there are any oil reserves or natural gas reserves or coal reserves under this 85 percent of Federal lands that does not have the ability to be drilled under. And then if it does have reserves for oil or natural gas or coal, maybe he could tell us, Mr. Speaker, why we can't drill there, why it is off-limits, what technology are we missing to be able to drill in an environmentally friendly way.

So yes, some of these companies do have land that they may be able to drill on. But as we see that this is a profitable thing for the Federal Government, to allow those companies to drill domestically, we can see the amount of money that it brings in. And goodness knows, the way the majority party loves to spend money, they passed a thing called PAYGO, the American people pay and we will go spend it. Now this is a great opportunity to get more revenue coming into our treasury by allowing us to take advantage of our own resources that we have in this country.

Mr. COSTA. Mr. Speaker, as the chairman of the Subcommittee on Energy and Minerals on Public Lands, it is my opinion that the oil and gas companies would not be buying the leases to these lands if they did not believe that oil and gas could be produced there. Yet these same companies are producing in other areas. Two months ago I was in the Gulf of Mexico surveying a lot of good work that is being done there, American companies and others that are actively drilling for both oil and gas.

But let me repeat again the current circumstance which we are dealing with. Trends include not only the fact that 13 million acres are actually being used out of the 47 million acres that are on shore, but when you look at offshore, 10 million acres of the gas and oil land that has been leased to these companies are being used out of the 44 million acres that are currently being leased.

If we extrapolate from that, the fact is that today's production rates on Federal land and waters, we can estimate that 68 million acres of leased but currently inactive Federal land and waters could produce 4.8 million barrels of oil and 44.7 billion cubic feet of natural gas each day, if the vast amount of land that is leased on which permits to drill have been allowed but is not currently being utilized were taking place. Are there other opportunities or options out there along with all of the other variables of trying to come together with a comprehensive energy plan, certainly. But I think my parents told me a long time ago that to be prudent, you first ought to use those available resources that have been approved by both the Federal Government in terms of Federal lands, both on shore as well as offshore, and the States that we are also dealing with in the circumstance.

So we are inventorying them and keeping a close eye on it, and we want to encourage that those lands already leased are utilized to the degree they could be utilized. And clearly, obviously, we

will continue to look at all of the renewable sources of energy that are in our energy toolbox because there is no one silver bullet.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I would like to inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from California (Mr. Nunes) has 13 minutes. The gentleman from California (Mr. Costa) has 15\1/2\ minutes.

Mr. NUNES. I yield myself as much time as I may consume.

The key here, Mr. Speaker, is that 86 percent of our Federal lands are off-use for drilling. What we have to really recognize in this country is that we have to quit blaming people and have to start, in my opinion, place the blame on ourselves. It's not a Democrat problem; it's not a Republican problem. It's the whole Congress itself that's the problem, because for decades now, we haven't been able to open up the Federal lands for drilling for oil. And there's a lot of us in this body who believe that what we ought to do is open up these areas for drilling, but, instead of using that tax revenue to go to pay for a lot of the things that we waste money here in Washington on, but instead take that tax revenue and invest it into the next generation of energy. That's what we're attempting to do on the Republican side of the aisle.

We actually, I've worked with, including Mr. Costa and other Democrats, to develop bipartisan legislation that would, in fact, open these areas up for drilling, and then basically make the largest investment in American-made energy in our Nation's history. And that's how we move from fossil fuels to the next generation of clean and renewable energy.

Today a half a percent of our total energy is produced from solar and wind power; and so to think that we're going to go from a half a percent anywhere close to the energy needs that we need, it's not possible at this time, Mr. Speaker, and we need to be honest with the American people about what really is the problem, why don't we have an abundant energy availability in this country? Why are we exporting so many dollars overseas?

And the longer that we sit around and blame oil companies or blame OPEC or blame speculators, quite frankly, the longer it is the American people are going to be paying \$5 per gallon per gas, as they are in California, or possibly even higher.

What I'd like to see us do, Mr. Speaker, I said this earlier, bringing bills to the floor that are not only **wilderness** bills but would actually open up large vast areas for drilling, and not only bringing these bills to the floor, but bringing them up in a way where they [*5057]

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don't come to the floor with a closed rule, where the Republicans can't offer any of their alternatives. Because, essentially, what's happening is that a majority of this Congress, I believe, both Republicans and Democrats, would vote to open up for drilling in this country. They would vote for that. We'd probably get 230, 240 votes, I would think. Because a lot of the folks that were elected last year, that helped put the Democrats in the majority, they ran on a pro-drilling platform. The problem is that we have to allow those people that were elected here, the new Members to this body, to have a chance, under an open rule, to vote on things that will really make substantial impacts for the American people.

And I believe that if we have open rules in this Congress, where we bring bills to the floor that we can actually vote on, the majority will rule, and it would be a majority of Republicans and Democrats working together to open up our energy resources in this country so that we can begin to rely on American-made energy, and not continuing to export so many dollars outside of this country, which is, in my opinion, one of the most irresponsible things that this Congress has

done for decades.

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

Mr. COSTA. In closing, Mr. Speaker, I'd urge the Members to support H.R. 3682, as amended, and 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. Costa) that the House suspend the rules and pass the bill, H.R. 3682, 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.