

part of that goes back to the State of Louisiana.

The fact is that this measure, this legislation, will prevent, will absolutely stop any State from going forward and allowing additional drilling. And that's what it's intended to do because the intention is not to have any energy produced in the United States, not to create jobs here, and not to help the inflation that, frankly, is being driven right now by these high energy prices. And I am very concerned about it.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 38 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUMMINGS) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God Almighty, after another weekend as a hurricane watch, we pray for all those whose lives and belongings have been affected by floods and collapsed infrastructure. May You strengthen the efforts of emergency workers and stir generous hearts in many others to come to their aid and help them repair their communities.

Bless the work of Congress this week both here in Washington and in the district offices. Grant discernment of spirits in these days, that what is best for this Nation may be done and ways of peace, security and creativity may be found that will give glory to this Nation and Your Holy Name now and forever.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Guam (Ms. BORDALLO) come forward and lead the House in the Pledge of Allegiance.

Ms. BORDALLO led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Thursday, September 11, 2008:

H.R. 6532, to amend the Internal Revenue Code of 1986 to restore the highway trust fund balance.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### JACKSON GULCH REHABILITATION ACT OF 2008

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3437) to authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3437

*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 "Jackson Gulch Rehabilitation Act of 2008".*

##### SEC. 2. DEFINITIONS.

*In this Act:*

(1) **ASSESSMENT.**—The term "assessment" means the engineering document that is—

(A) entitled "Jackson Gulch Inlet Canal Project, Jackson Gulch Outlet Canal Project, Jackson Gulch Operations Facilities Project: Condition Assessment and Recommendations for Rehabilitation";

(B) dated February 2004; and

(C) on file with the Bureau of Reclamation.

(2) **DISTRICT.**—The term "District" means the Mancos Water Conservancy District established under the Water Conservancy Act (Colo. Rev. Stat. 37-45-101 et seq.).

(3) **PROJECT.**—The term "Project" means the Jackson Gulch rehabilitation project, a program for the rehabilitation of the Jackson Gulch Canal system and other infrastructure in the State, as described in the assessment.

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(5) **STATE.**—The term "State" means the State of Colorado.

##### SEC. 3. AUTHORIZATION OF JACKSON GULCH REHABILITATION PROJECT.

(a) **IN GENERAL.**—Subject to the reimbursement requirement described in subsection (c), the Secretary shall pay the Federal share of the total cost of carrying out the Project.

(b) **USE OF EXISTING INFORMATION.**—In preparing any studies relating to the Project, the Secretary shall, to the maximum extent practicable, use existing studies, including engineering and resource information provided by, or at the direction of—

(1) Federal, State, or local agencies; and

(2) the District.

(c) **REIMBURSEMENT REQUIREMENT.**—

(1) **AMOUNT.**—The Secretary shall recover from the District as reimbursable expenses the lesser of—

(A) the amount equal to 35 percent of the cost of the Project; or

(B) \$2,900,000.

(2) **MANNER.**—The Secretary shall recover reimbursable expenses under paragraph (1)—

(A) in a manner agreed to by the Secretary and the District;

(B) over a period of 15 years; and

(C) with no interest.

(3) **CREDIT.**—In determining the exact amount of reimbursable expenses to be recovered from the District, the Secretary shall credit the District for any amounts it paid before the date of the enactment of this Act for engineering work and improvements directly associated with the Project.

(d) **PROHIBITION ON OPERATION AND MAINTENANCE COSTS.**—The District shall be responsible for the operation and maintenance of any facility constructed or rehabilitated under this Act.

(e) **LIABILITY.**—The United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to a facility rehabilitated or constructed under this Act.

(f) **EFFECT.**—An activity provided Federal funding under this Act shall not be considered a supplemental or additional benefit under—

(1) the reclamation laws; or

(2) the Act of August 11, 1939 (16 U.S.C. 590y et seq.).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to pay the Federal share of the total cost of carrying out the Project \$8,250,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. 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 gentlewoman from Guam?

There was no objection.

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. The Mancos Project delivers water from Jackson Gulch Dam to residents, farms and businesses in Montezuma County, Colorado. The project and the Jackson Gulch Dam provide supplemental agricultural water for about 8,650 irrigated acres and at least 237 agricultural businesses. The project is also a domestic water supply for the Mesa Verde National Park.

For almost 60 years, the project has outlived its expected life and is in dire need of rehabilitation. This bill will aid the repair and the rehabilitation of this vitally important project in southwestern Colorado.

I would like to commend our colleague from Colorado, Congressman JOHN SALAZAR, for his hard work on

the bill before us today. I urge my colleagues to support its passage.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, the Democratic bill manager has adequately described H.R. 3437. We have no objection to the one-time solution in this bill.

Federal water projects throughout the western United States are crumbling due to age and limited resources at all levels. The Jackson Gulch project is a frustrating symbol of what could happen to other projects. In the coming years, Congress and the next administration have to resolve this aging infrastructure problem to leverage government and private assistance and remove unnecessary red tape to keep our water running and our lights on. We look forward to working together to resolve this nonpartisan problem.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3437, 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. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

#### TULE RIVER TRIBE WATER DEVELOPMENT ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2535) to direct the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2535

*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 "Tule River Tribe Water Development Act".

#### SEC. 2. STUDY.

(a) AUTHORIZATION.—Not later than 2 years after funds are appropriated for this section or the signing of a reserved water rights set-

tlement agreement by the Tule River Tribe and other settling water users, whichever is later, the Secretary of the Interior, acting through the Bureau of Reclamation, shall complete a feasibility study to evaluate alternatives (including alternatives for a phase I reservoir storage of an amount of water not to exceed 5,000 acre feet) for a domestic, commercial, municipal, industrial, and irrigation water supply for the Tule River Tribe of the Tule River Reservation.

(b) REPORT.—Upon completion of the study conducted under subsection (a), the Secretary of the Interior shall transmit the study to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the Senate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior \$3,000,000 to carry out this section.

#### SEC. 3. CONDITIONS FOR FUTURE PROJECTS.

No project conducted in relation to the feasibility study conducted under section 2 shall provide water supplies for the proposed Tribal casino to be located in proximity to California Highway 190 near Lake Success, or any other Tribal casino, except—

(1) the casino in its current form and dimensions operated by the Tribe on the Tule River Reservation; and

(2) any lodging, dining, entertainment, meeting space, parking, or other similar facilities which may be constructed in the future in support of current on-Reservation gaming activities, or in support of any future expansion of on-Reservation gaming activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. 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 gentlewoman from Guam?

There was no objection.

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, the Tule River Water Development Act, sponsored by our colleague from California, Congressman DEVIN NUNES, would authorize the Secretary of the Interior, through the Bureau of Reclamation, to complete a feasibility study that would evaluate alternatives for a water supply for the Tule River Tribe of the Tule River Reservation. The Tule tribe views this as a very important first step in settling their water rights claims.

This bill has received bipartisan support and I ask my colleagues to support its passage.

I reserve the balance of my time.

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

This bill, H.R. 2535, introduced by our California colleagues, DEVIN NUNES and JIM COSTA, is the first step towards improving the water supply situation on the Tule River Indian Reservation. This bill authorizes the Bureau of Reclamation to conduct a feasibility study to capture more surface water on the Reservation.

I urge my colleagues to support this bipartisan measure.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, at this time I yield as much time as he may consume to the gentleman from Colorado (Mr. SALAZAR) who will speak on the previous bill.

Mr. SALAZAR. Mr. Speaker, I want to thank the chairwoman, and I want to thank Chairwoman NAPOLITANO for all of her hard work on many of the water bills that are before us today. I also want to thank Congressman NUNES and Congressman COSTA from California. Being rural water Members, they understand the importance of water to rural America.

Today I would like to speak on H.R. 3437, the Jackson Gulch Rehabilitation Act of 2008. I introduced this bill after hearing from my constituents in Mancos, Colorado, including Gary Kennedy, who is the superintendent of the Mancos Water Conservancy District. Gary told me about how every spring as the snow melts he is terrified that they are going to have a catastrophic failure in the system. And it is only a matter of time.

The Jackson Gulch project is critical to southwest Colorado and has stored and delivered water for domestic, agriculture and recreational uses for over 50 years.

The Jackson Gulch Reservoir supplies water to the town of Mancos and the Mancos Rural Water Company. Many of my constituents in the area depend on the agricultural land to make a living. They cannot afford to lose their water supply.

Also of critical importance, Jackson Gulch is the sole supplier of municipal water for the Mesa Verde National Park. Mesa Verde National Park was founded in 1906 by President Theodore Roosevelt and is one of our Nation's most treasured archeological sites. Almost 600,000 Americans each year enjoy Mesa Verde National Park and rely on the water of the park that they receive from Jackson Gulch.

This bill is critical to extend the life of Jackson Gulch Project. The project was authorized in 1939, and construction of the project was completed in 1949. Over the past 60 years, the canals and facilities have exceeded their life expectancy and are in dire need of repair.

Congress is faced with a simple decision: Tackle the problem of rehabilitation for \$8 million today or wait for a catastrophic failure and face a \$30 million price tag for replacement tomorrow. Without action, it's only a matter of time before we have a major failure