

## U.S. House of Representatives

108<sup>th</sup> Congress  
Accomplishments

# Committee on Resources

### 108th Congress Committee Members

Richard W. Pombo, California,  
Chairman

*Nick J. Rahall II, West Virginia,  
Ranking Democrat Member*

Don Young, Alaska  
Dale E. Kildee, Michigan  
W.J. "Billy" Tauzin, Louisiana  
*Eni Faleomavaega, Amer Samoa*  
Jim Saxton, New Jersey  
*Neil Abercrombie, Hawaii*  
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*Ron Kind, Wisconsin*  
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*Dennis A. Cardoza, California*  
Thomas G. Tancredo, Colorado  
*Madeleine Z. Bordallo, Guam*  
J.D. Hayworth, Arizona  
*Stephanie Herseth, South Dakota*  
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Jeff Flake, Arizona  
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*Rubén Hinojosa, Texas*  
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Stevan Pearce, New Mexico  
Rob Bishop, Utah  
Devin Nunes, California  
Randy Neugebauer, Texas

### Message from Chairman Richard W. Pombo



With the 108<sup>th</sup> Congress gavelled to an end by the Speaker of the House, I am pleased to look back and report the many accomplishments of the Resources Committee during my first Congress as chairman.

When I was appointed chairman in January of 2003, my expectations were high as to what this committee could accomplish if we worked together in a bipartisan fashion. Thanks to the hard work of our members on both sides of the aisle, we have much to be proud of in that respect.

At the outset, President Bush tasked this Congress, and this committee, with two lofty domestic priorities: crafting a sound national energy plan and reforming our management policies to return our national forests to a healthy state.

The Resources Committee met each of these challenges swiftly, in bipartisan spirit, and delivered the House of Representatives sound legislation.

The results speak for themselves. The National Energy Policy passed the House with committee-approved initiatives, such as safe energy exploration and production in the Arctic National Wildlife Refuge.

The committee-written Healthy Forests Restoration Act exceeded all expectations,

as it was approved by the House and Senate with overwhelming, bipartisan support and signed into law by President Bush.

Our bipartisan results didn't end there. Taking on many difficult issues during the 108<sup>th</sup> Congress, Members of this committee were able to begin efforts to achieve meaningful improvements to the Endangered Species Act. The committee passed, with bipartisan support, two bills that would bring both common sense and stronger science to a law that has recovered few of our struggling species. I expect to continue that work in the 109<sup>th</sup> Congress as the country moves to update and strengthen one of its landmark environmental laws.

Looking forward, our committee will once again play a key role in sending a National Energy Policy to the President's desk. A comprehensive energy bill that provides affordable and reliable sources of energy to the American people, while reducing our dangerous dependence on foreign oil will include safe energy exploration and production in ANWR. Together with permitting reforms and incentives for developing energy sources, we will secure America's energy future.

The Committee on Resources has worked tirelessly to hear from the American people. Our committee has held 46 Field Hearings across this country, including one in the far corner of Kaktovik, Alaska. We have held 121 legislative and oversight hearings on issues ranging from energy development and affordable natural gas to the preservation and restoration of America's forests. Most importantly, the Resources Committee passed 170 bills which became public law, all of which garnered bipartisan support.

I would especially like to thank the ranking member of the Resources Committee, Rep. Nick Rahall (D-WV), for his friendship and his dedication to working across party lines to achieve positive reforms. With continued cooperation, I am confident that we can build on the stellar record of the Resources Committee in the 109<sup>th</sup> Congress and beyond.

## The Office of Native American and Insular Affairs



Following the dedication of the Sakakawea Statue, Chairman Pombo received a traditional Indian blanket from Chairman Tex Hall in recognition of his support for Native American issues in Congress.

Under Chairman Pombo's leadership, the Office of Native Americans and Insular Affairs has been very active in the 108<sup>th</sup> Congress. The committee ensured the inclusion of an Indian Energy Title in H.R. 6, the comprehensive energy legislation, to strengthen tribes' sovereignty in developing their energy resources. The Chairman also secured passage of a land exchange requested by the Eastern Band of Cherokee Indians, enabling the tribe to build a safe, modern school.

Tackling the most controversial issue in Indian Country today, Chairman Pombo also initiated action to address the Indian Trust Fund lawsuit, *Cobell v. Norton*. The committee held three hearings on resolving the complex, costly litigation with an eye toward providing a full, fair and equitable settlement for individual Indian account holders. The committee will continue working to resolve this matter in the 109<sup>th</sup> Congress in a way that brings finality and closure to the case, and justice to individual Indians.

The "American Indian Probate Reform Act of 2004," the most significant Indian lands bill passed in the 108<sup>th</sup> Congress, became law under the committee's jurisdiction. The committee made great progress on re-authorizing comprehensive Indian health care and set the stage to consider H.R. 2440, the Indian Health Care Improvement Act, in the next Congress.

In addition, a key oversight hearing on Indian gaming on off-reservation trust lands was held to clear popular misconceptions regarding Indian gaming, and give tribal leaders the opportunity to address the committee on Indian gaming matters affecting their regions.

Information culled from another hearing on tribal recognition was used in the development of H.R. 5134, introduced by Chairman Pombo. This bill requires the Secretary to give prompt review to a number of long-standing petitions for recognition filed by tribes.

The Committee also oversaw House passage of S. 523, the Indian Technical Corrections Act. A field hearing in the Osage Reservation was held on a bill to allow the Osage Tribe of Oklahoma to create its own government and membership rules.

In the arena of Insular Affairs, the committee worked out legislation, H.J. Res. 63, to approve the newly renegotiated Compacts of Free Association between

the US and the Federated States of Micronesia, and the Republic of the Marshall Islands. The Compacts continue and improve a relationship enabling the U.S. to maintain a defensive strategic advantage in key areas of the Pacific.

The summer of 2004 marked 60 years since significant battles in the Pacific theater took place in World War II. The Committee was active in moving multiple pieces of legislation recognizing the importance of these hard fought battles that led to the eventual end of the War. This included H. Con. Res. 364, noting the strategic partnership that continues to exist between the US and the Republic of the Marshall Islands. Other bills that passed the House included those centering on the Battle of Peleliu and the liberation of Guam.

Chairman Pombo also sponsored H.R. 5135 which would provide a non-voting Delegate to the Commonwealth of the Northern Mariana Islands, following the first-ever hearing on this controversial issue.

From promoting economic development in American Samoa, to protecting the voting rights of American Samoa's members of the Armed Services, and strengthening the 3 branches of government in Guam, Chairman Pombo helped to lead the push to see these related pieces of legislation become public law.

### National Parks, Recreation and Public Lands Subcommittee -- Chairman George Radanovich

The 108th Congress was a productive one for the Subcommittee on National Parks, Recreation and Public Lands. In April 2003, the subcommittee traveled to Yosemite National Park to evaluate the National Park Service's implementation of its Yosemite Valley Management Plan. Of particular concern was the public's diminishing access to Yosemite Valley by car due to the plan's lack of parking spaces allocated to accommodate day-use visitors. The subcommittee continues to monitor access issues in the valley and also pursue opportunities to increase the number of low-impact campsites in the valley and throughout the park.

In May 2003, the subcommittee held the first ever Congressional hearing on the National Mall to bring attention to legislation aimed at establishing a visitor center for the Vietnam Veterans Memorial. Later in the year, President Bush signed the bill championed by Chairman Pombo – ending a three year odyssey for thousands of Vietnam Veterans.

The subcommittee held three important oversight hearings in 2003: (1) the effects of the National Historic Preservation Act on private property; (2) recreational access to the California Desert and in particular the Imperial Sand Dunes Recreation Area, and (3) the impact land acquisition has on the National Park Service maintenance backlog, its

management priorities and local communities, respectively. In addition to addressing important land use policy issues, these three hearings highlighted the subcommittee's unwavering commitment to the protection of private property rights and to assuring the public will continue to have access to its public lands.

An oversight hearing on the Southern Nevada Public Lands Management Act was held in Las Vegas in December 2003. Committee Vice Chairman Jim Gibbons discussed the possibility of redirecting a greater percentage of the funds generated under this Act to the education needs of the State of Nevada; a state where the federal government is the largest landowner, holding over 80% of the total acreage.

As part of maintaining its oversight responsibilities for the U.S. Department of the Interior, the subcommittee successfully worked to have the Interior Department reinstate \$450,000 of recreation fees, which were being inappropriately used for biological monitoring. Those fees were ultimately directed to their rightful purpose--for the construction of camping pads, bathrooms and security at the Imperial Sand Dunes Recreation Area. This effort highlighted the need to evaluate recreation fee authority system-wide, and ultimately lead to the committee asserting its jurisdiction and



On November 17, 2003, President Bush signed into law, H.R. 1442, which authorizes the design and construction of a visitor center for the Vietnam Veterans Memorial

reporting legislation to overhaul this authority for federal land managers.

During the second session, the subcommittee traveled to Utah to tackle the controversial and complex issue of Revised Statute 2477. The hearing was an important first step in bringing attention to this historically important western issue, as well as the need to reform the process of acknowledging rights-of-way established under the statute.

The subcommittee also took up legislation that would responsibly establish wilderness under the Wilderness Act of 1964. In doing so, the subcommittee acted on wilderness recommendations that had remained dormant under previous Committee Chairmen for over thirty years. Ultimately, the committee's actions resulted in over 250,000 acres of land currently designated as wilderness study area being returned to multiple uses.

## Forests and Forest Health Subcommittee - Chairman Greg Walden

Marking one of the principal accomplishments of this Congress and a key tenet of the Bush Administration's environmental policy, the Subcommittee on Forests and Forest Health fostered the passage of the Healthy Forests Restoration Act (HFRA). The legislation gave clear direction and the necessary tools to the Forest Service and Bureau of Land Management to reduce the risk of catastrophic wildfire, especially in the wildland urban interface, while also protecting watersheds, wildlife, and forests. The subcommittee worked closely with agencies throughout the year to guarantee prompt and comprehensive implementation of the Act while working to insure full funding for the Act and increased funding of hazardous fuels reduction.

The subcommittee led an effort to provide additional firefighting funds so that the agencies would not have to borrow from other accounts, delaying other important projects, to fund fire suppression activities. To indicate at-risk wildland urban interface areas that will be the first priority for Forest Service fuels reduction projects, the subcommittee helped with the development of Community Wildfire Protection Plans and worked with a number of organizations to create a template for these plans. As a result there are now over 100 plans across the country with many more being developed.



*"With the Healthy Forest Restoration Act we will help to prevent catastrophic wildfires, we'll help save lives and property, and we'll help protect our forests from sudden and needless destruction."*

-President Bush  
December 3, 2003

The Tribal Forests Restoration Act, sponsored by Chairman Pombo, sets up a process allowing Indian tribes to perform hazardous fuels reduction operations and other forest health projects on Forest Service and BLM lands adjacent to their own. By passing this legislation, Congress sent a strong message that tribes need to be an integral part of the thoughtful management of our federal lands--for the betterment and safety of all.

The subcommittee will continue to work for passage of the Healthy Forests Youth Conservation Corp Act, introduced by Subcommittee Chairman Greg Walden, in the 109th Congress. This would provide a means by which young adults can carry out rehabilitation projects to prevent fires, rehabilitate public land affected or altered by fires, and provide disaster relief.

Noxious and harmful weeds were also aggressively

addressed this year. The House passed the Salt Cedar and Russian Olive Control Demonstration Act, which authorizes demonstration projects removing the noxious weed while also documenting biomass removal and disposal methods and preventing re-growth and reintroduction. The Noxious Weed Control and Irradiation Act is now being implemented to aid the BLM, Forest Service, states and private landowners in tackling the control or eradication of noxious weeds.

Since passage of HFRA it has become clear that other healthy forest issues must be addressed if forests and communities are to be adequately protected in the long-term. The aftermath of wildfire and other catastrophic events often require expedited rehabilitation efforts if further environmental degradation is to be averted. Through a series of hearings this year the subcommittee found that lengthy and costly analysis and decision processes, and a shortage of necessary funds, often keep the agencies from moving quickly enough to adequately protect forests and people. This investigation will continue and may lead to the introduction of post-catastrophic event legislation. The subcommittee will also continue its efforts to find ways to help fund restoration activities, particularly in the development of markets and infrastructure for the use of woody biomass.

## Energy and Mineral Subcommittee – Chairman Barbara Cubin

The Energy and Mineral Subcommittee began the year constructing the Resources Committee portion of the comprehensive energy bill, which attempted to expedite the leasing and permitting process for oil, gas, coal, geothermal, wind, biomass, alternative energy and Indian energy resources on federal lands and the offshore. It also provided for oil and gas production in a small portion of the Arctic National Wildlife Refuge. The goal of the bill was to increase our domestic production of all energy sources on federal lands and decrease our Nation's dependence on foreign energy sources. The subcommittee worked with the Administration, the Senate, and various stakeholders to move the bill through the House and on to conference with the Senate. A conference report was agreed upon but the report currently resides in the Senate where it has fallen two votes short of cloture.

The subcommittee also played a key role in supporting the activities of Speaker Hastert's Task Force on Affordable Natural Gas. The task force held hearings around the country to highlight the current natural gas supply shortage and its impact on prices, families, businesses and the economy at large.

During the second session, the subcommittee addressed issues affecting domestic oil, natural gas, coal and hard-rock mining development on federal lands.

The subcommittee held oversight hearings that examined numerous issues, including a look at the benefits of energy and mineral development to American families as well as the impacts of the continuing energy supply-demand imbalance and its harmful effects on the economy. The subcommittee also looked at a disturbing trend driven in part by existing federal minerals policies – the outsourcing of American jobs overseas – that is exacerbated by permitting delays heaped on, and restrictions on access for, responsible energy and minerals development activities.

In July 2004, a hearing on the aging of our domestic minerals workforce examined the extent and nature of the impact an aging workforce can have in the oil and natural gas production and mining industries. Another hearing discussed the impact of science on public policy and the scientific process, a discussion on the role of peer review in assessing scientific research, and the politics of science. The hearing looked at how science has advanced society and improved our utilization of energy and mineral resources. We also examined modern development of oil and natural gas which has yielded more efficient domestic production while improving environmental protections.

In addition, legislative hearings were held to discuss the reauthorization of the National Geologic Mapping

Act of 1992; amendments to the Surface Mining Control and Reclamation Act (SMCRA) of 1977; a bill to Reauthorize and Reform the Abandoned Mine Reclamation Program (AML); and, bills to reduce royalties on soda ash and potash produced from federal lands.

Field hearings were held in New Mexico and Nevada discussing sustainable development opportunities in mining communities and the impact of the Endangered Species Act on everyday oil and gas, and ranching operations and businesses in southern New Mexico.

The House also passed a subcommittee-crafted bill called the Renewable Energy Project Siting Improvement Act to streamline the bureaucratic review process to bring more environmentally-friendly energy to America. Steps were also made in this Congress to modernize and improve the Abandoned Mine Lands (AML) Reclamation and related coal programs.

Looking forward to the 109th Congress, the subcommittee will continue its work examining federal energy and minerals policies and the host of related issues affecting reliable and affordable energy supplies for the American consumer, including the responsible production of reserves in the Arctic National Wildlife Refuge (ANWR).

## Water and Power Subcommittee – Chairman Ken Calvert



*“The days of no new water storage for California are over,”*

-Chairman Pombo, upon passage of CALFED  
October 6, 2004

As the population continues to grow at rapid rates throughout the United States, the potential for new sources of water, and the security of these water resources have been a major focal point for the Water and Power Subcommittee during the 108<sup>th</sup> Congress.

Working with state and local governments, legislation has passed the committee and House of Representatives to address needed infrastructure and environmental protection needs while allowing for the population and economic growth. Furthermore, issues surrounding water security throughout the United States, for example, in the Colorado River, have been the subject of various hearings throughout the year. These hearings led to the signing of the monumental agreement on the operation of the Colorado River for the next decade amongst the lower-Colorado River basin states.

Another focus was to oversee the budgetary process of the federal agencies involved in

water resource management. The subcommittee held several hearings to examine how these agencies obtain, use, and account for the money they receive to build, operate, replace, and upgrade facilities at multipurpose water projects.

In light of growing population pressures, environmental challenges and continuing drought, the subcommittee’s continued focus was the development of new water supplies. The subcommittee passed several bills and held numerous hearings to create and deliver more water supplies for our environmental, safe drinking water and agricultural needs.

The retention of existing water supplies and the development of critically needed new storage infrastructure was the centerpiece of landmark legislation, H.R. 2828, the Water Supply, Reliability and Environmental Improvement Act -- CALFED. This historic legislation, signed into law, helps create water use certainty for users across the spectrum in California, and helps reduce demand on water developed in the Colorado River basin. The subcommittee also led in the effort to pass the Arizona Water Settlements Act, which eliminates litigation, provides certainty to diverse water users in Arizona and allows for the development of new water sources in New Mexico.

The subcommittee passed numerous bills that provide federal assistance to communities in the process of developing water recycling, desalination and environmental restoration projects. These bills, passed by the House, provide a means for communities to “drought-proof” themselves and reduce their dependence on imported water such as the Colorado River and California’s Bay-Delta region. The subcommittee also held hearings or passed legislation transferring ownership of federal facilities to local water users in Montana, Nevada, and Utah. These bills reduce federal paperwork and expand local ownership of irrigation projects.

In Klamath Falls, Oregon the subcommittee heard from a variety of diverse witnesses on how to resolve the ongoing water dispute in the Klamath basin. At the hearing, the subcommittee was instrumental in forming consensus that more water storage and peer-review science related to the Endangered Species Act was needed in the basin. The subcommittee also heard from witnesses in Georgia about the growing need for large multi-purpose electricity producing dams on the Savannah River. The subcommittee traveled to New Mexico to hear firsthand how the community plans to develop its water supplies as envisioned in the Arizona Water Settlements Act.

### Fisheries Conservation, Wildlife and Oceans Subcommittee - Chairman Wayne Gilchrest

The Subcommittee on Fisheries Conservation, Wildlife and Oceans was active this Congress with nineteen legislative and oversight hearings in the first session of the 108th Congress and 15 during the second. These hearings occurred across the country, from San Diego, CA to Annapolis, MD. The subcommittee reviewed a diverse range of topics, from interactions between marine mammals and human activities to the Migratory Bird Treaty Act.

In the first session, the subcommittee focused on moving legislation to the President's desk dealing with nutria eradication and control, refuge expansion and captive wildlife and safety.

The House also overwhelmingly supported and passed the National Wildlife Refuge Volunteer Act of 2003. Under the subcommittee's jurisdiction, H.R. 2408 reauthorizes funding for volunteer programs and community partnerships in national wildlife refuges through 2009. Since 1982, the number of volunteers has grown from 4,251 individuals to over 39,000. In the past year alone, volunteers have contributed over 1.4 million hours of their time to the refuge system.

In June 2004, H.R. 3378, the Marine Turtle Conservation Act, passed the House and was signed into law by the President. This important legislation will aid in the recovery of sea turtle

populations devastated by destructive foreign fishing practices, the degradation of essential nesting areas, and massive poaching on turtle eggs, meat and shells where they go for top dollar on the black market. H.R. 3378 creates a means to help conserve endangered sea turtles and their nesting habitats in foreign countries.

Another legislative priority, the Migratory Bird Treaty Reform Act was signed into law in December 2004. H. R. 4114 ensures that non-native birds are not protected or covered under the Migratory Bird Treaty Act of 1918. This is a common sense clarification that restores nearly a century old policy that reserves the application of the law to native species and allows the states to retain primacy over wildlife management, a role they have effectively handled since the birth of this republic.

In addition, the subcommittee held hearings and numerous stakeholder meetings reviewing the Marine Mammal Protection Act. The MMPA establishes protections for marine mammals taken incidentally in commercial fishing operations and for marine mammals held in captivity. The committee approved legislation based in part on recommendations issued in 2000 by the National Research Council. This legislation focuses the conservation and management of marine mammals on science. The reauthorization of the



*"This bill renews our commitment to marine mammal protection and adds greater balance to the relationship between mammals and human activities, such as research."*

-Chairman Pombo on the Subcommittee passage of the Marine Mammal Protection Act

MMPA will be a priority for the subcommittee in the 109th Congress.

When the 109th Congress convenes, the subcommittee will again address legislation dealing with marine mammals, including rescue and rehabilitation, permitting criteria and reducing marine mammal mortalities from fishing operations. The subcommittee will be active in hearings and legislation involving new ocean policies following the release of the U.S. Commission on Ocean Policy report. The authorizations for a number of fisheries, oceans and wildlife laws are set to expire during the 109th Congress. The subcommittee will review specifically the Magnuson-Stevens Fishery Conservation and Management Act, the National Marine Sanctuaries Act, the Coral Reef Conservation Act and the Great Ape Conservation Act, and work toward reauthorizing these laws with any needed amendments.

Resources Committee Statistics

Committee Bills, signed into Public Law: 170

Committee Bills, passed the House: 84

Total Committee Hearings: 167

Legislative Hearings: 74

Oversight: 47

Field Hearings: 46

Total Committee Markups: 33

Committee Field Hearing Locations

- Kaktovik, AK
- Scottsdale, AZ
- Fontana, CA
- San Diego, CA (3)
- Yosemite NP, CA
- Washington, DC
- Manoa, HI
- Annapolis, MD (2)
- Seeley Lake, MT
- Grants, NM
- Las Vegas, NV
- Oklahoma City, OK
- Klamath Falls, OR
- St. George, UT
- Flagstaff, AZ
- Thatcher, AZ
- Jackson, CA
- Sherman Oaks, CA
- Denver, CO
- Augusta, GA
- Ames, IA
- Salisbury, MD
- Belen, NM
- Hobbs, NM
- Reno, NV (2)
- Tulsa, OK
- Redmond, OR
- Rawlins, WY
- Grand Canyon NP, AZ
- Elk Grove, CA
- Lake Arrowhead, CA (2)
- Tulare, CA
- Golden, CO
- Guyton, GA
- South Bend, IN
- Billings, MT
- Carlsbad, NM
- Ely, NV
- St. Clairsville, OH
- Bend, OR
- State College, PA

Subcommittee Statistics

*Full Committee & Office of Native American and Insular Affairs*

Markup: 18 Legislative: 14 Oversight: 9 Field: 17

*National Parks, Recreation and Public Lands*

Markup: 4 Legislative: 15 Oversight: 4 & 1 joint hearing with Fisheries Field: 7

*Forests and Forest Health*

Legislative: 9 & 1 joint hearing with Fisheries Oversight: 6 Field: 8

*Energy & Mineral Resources*

Legislative: 5 Oversight: 11 Field: 3

*Water & Power*

Markup: 6 Legislative: 14 Oversight: 5 Field: 6

*Fisheries Conservation, Wildlife, and Oceans*

Markup: 5 Legislative: 16 & 1 joint hearing with Forests Oversight: 11 & 1 joint hearing with Parks Field: 5

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**Richard W. Pombo,**  
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