

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise in support of House Concurrent Resolution 209 and yield myself such time as I may consume.

The resolution has been adequately explained again by the gentleman from Arizona. I would like to commend Congressman WHITFIELD for his work on this resolution that designates the Museum of the American Quilter's Society in Paducah, Kentucky, as the National Quilt Museum of the United States. It's a designation that brings us all a great deal of warmth and comfort and helps tie together the loose ends of our society. I am grateful this resolution has been brought to the floor so that we can finally put this to bed.

The bill's author, Mr. WHITFIELD, wanted to be here today, but his flight has been unavoidably detained because of weather conditions.

I urge the adoption of this resolution and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from Arizona. I thank the sponsor of this bill. I add my appreciation and recognition of H. Con. Res. 209, expressing the sense of Congress that the Museum of America's Quilter's Society located in Kentucky should be designated as the National Quilter's Museum of the United States.

Having had the opportunity to have the Traveling Quilters from Alabama come to Houston, I know that quilting is a national treasure, and it is an important part of our history. It is important for this Congress each step of the way to remind Americans of how valuable their history is.

We happen to be in Black History Month; and I know that as we look to honor everyone's history, it is to say that Americans are united, we are one. So I am very proud to acknowledge this resolution and to support it.

Mr. Speaker, I just got off the plane from Texas and I do want to make mention of H. Res. 954. As a member of the House Judiciary Committee, the Subcommittee on Immigration, and as a member of the Homeland Security Committee, I rise to honor the life of fallen Border Patrol agent Luis A. Aguilar, who lost his life in the line of duty at Yuma, Arizona, on January 19, 2008. Many times, Americans do not really understand that our Border Patrol agents put themselves in the line of fire, and they are, in fact, first responders on behalf of the people of the United States.

I want to give honor to his family, certainly to his fellow Border Patrol agents, and to acknowledge my deepest sympathy to them and as well to them as a family. As a member of the Homeland Security Committee, I am forever reminded of their service and have been an advocate for providing them with more resources. We do need to get a complete response to immigration,

both through border security and comprehensive immigration reform.

In conclusion, let me say that I want to express again my sadness in the loss of senior Border Patrol agent Luis A. Aguilar and again express my sympathy on behalf of all Americans. We are indebted to his service and, of course, we consider him a national hero.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the kind words from the gentlewoman from Texas in support of this particular resolution.

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

Mr. Speaker, I would like to thank my colleagues and the Resources Committee for allowing this resolution to be considered today. I urge my colleagues to join me in supporting it.

The Museum of the American Quilter's Society in Paducah, Kentucky, is a non-profit institution established to educate, promote, and honor today's quiltmakers. The museum started over 16 years ago and is the largest quilt museum in the United States and, in fact, the world. The museum has the largest quilt exhibit space of any quilt museum, with three exhibit galleries, allowing for over 13,400 square feet, and over 150 quilts on exhibit year round. Quilts in the museum's permanent collection are made by quilters from throughout the nation, from Maine to Florida and Pennsylvania to California, having been made by quilters from 44 of the 50 States and a number of foreign countries.

Exhibit themes include educational activities called the "School Block Challenge," which are blocks of quilts made by school children from kindergarten through high school to collectively make one large quilt. Additionally, antique quilts exhibited in the museum are representative of the Nation and its cultures, featuring a wide diversity of themes and topics.

Mr. Speaker, this museum is certainly a national landmark and one that promotes education and diversity, while also displaying our Nation's heritage and traditions. In order that our children and grandchildren are able to treasure these educational and significant features of our Nation we must strengthen and embrace initiatives, such as the National Quilt Museum of the United States. Therefore, I urge my colleagues to support this concurrent resolution expressing the sense of Congress that the Museum of the American Quilter's Society, located in Paducah, Kentucky, be designated as the "National Quilt Museum of the United States."

Mr. BISHOP of Utah. I have no other speakers. I urge adoption of the resolution and yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 209.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SANTA MARGARITA RIVER, CALIFORNIA, CONSTRUCTION AUTHORIZATION

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 29) to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 29

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

**SECTION 1. DEFINITIONS.**

For the purposes of this Act, the following definitions apply:

(1) DISTRICT.—The term "District" means the Fallbrook Public Utility District, San Diego County, California.

(2) PROJECT.—The term "Project" means the impoundment, recharge, treatment, and other facilities the construction, operation, watershed management, and maintenance of which is authorized under section 2.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior, unless otherwise stated.

**SEC. 2. AUTHORIZATION FOR CONSTRUCTION OF SANTA MARGARITA RIVER PROJECT.**

(a) AUTHORIZATION.—The Secretary, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, is authorized to construct, operate, and maintain the Project substantially in accordance with the final feasibility report and this Act.

(b) CONDITIONS.—The Secretary may construct the Project only after the Secretary determines that the following conditions have occurred:

(1) The District and the Navy have entered into contracts under sections 9(c)2 and 9(e) of the Reclamation Project Act of 1939 to repay to the United States equitable and appropriate portions, as determined by the Secretary, of the actual costs of constructing, operating, and maintaining the Project.

(2) The officer or agency of the State of California authorized by law to grant permits for the appropriation of water has granted such permits to the Bureau of Reclamation for the benefit of the Department of the Navy and the District as permittees for rights to the use of water for storage and diversion as provided in this Act, including approval of all requisite changes in points of diversion and storage, and purposes and places of use.

(3) The District has agreed that it will not assert against the United States any prior appropriate right the District may have to water in excess of the quantity deliverable to it under this Act, and will share in the use of the waters impounded by the Project on the basis of equal priority and in accordance with the ratio prescribed in section 4(b). This agreement and waiver and the changes in points of diversion and storage under paragraph (2), shall become effective and binding only when the Project has been completed and put into operation and may be varied by agreement between the District and the Secretary of the Navy.

(4) The Secretary has determined that the Project has economic, environmental, and engineering feasibility.

**SEC. 3. COSTS.**

Upon completion of the construction of the Project, the Department of the Navy shall be

responsible to repay to the Secretary only that portion of the construction, operation and maintenance costs of the Project that the Secretary and the Secretary of the Navy determine reflects the extent to which the Department of the Navy benefits from the Project. Provided that the Secretary is hereby authorized to enter into a contract with the Secretary of the Navy for the impounding, storage, treatment, and carriage of prior rights water for domestic, municipal, fish and wildlife, industrial and other beneficial purposes using Project facilities.

**SEC. 4. OPERATION; YIELD ALLOTMENT; DELIVERY.**

(a) OPERATION.—The operation of the Project, subject to a memorandum of agreement between the Secretary, the Navy, and the District and under regulations satisfactory to the Secretary of the Navy with respect to the Navy's share of the project, may be by the Secretary, the District, or a third party consistent with section 6.

(b) YIELD ALLOTMENT.—Except as otherwise agreed between the parties, the Department of the Navy and the District shall participate in the Project yield on the basis of equal priority and in accordance with the following ratio:

(1) 60 percent of the Project's yield is allotted to the Secretary of the Navy.

(2) 40 percent of the Project's yield is allotted to the District.

(c) CONTRACTS FOR DELIVERY OF EXCESS WATER.—

(1) EXCESS WATER AVAILABLE TO OTHER PERSONS.—If the Secretary of the Navy certifies to the official agreed upon to administer the Project that the Department of the Navy does not have immediate need for any portion of the 60 percent of the Project's yield allotted to the Secretary of the Navy under subsection (b), the official may enter into temporary contracts for the sale and delivery of the excess water.

(2) FIRST RIGHT FOR EXCESS WATER.—The first right to excess water to be made available under paragraph (1) shall be given the District, if otherwise consistent with the laws of the State of California.

(3) CONDITION OF CONTRACTS.—Each contract entered into under paragraph (1) for the sale and delivery of excess water shall include a condition that the Secretary of the Navy has the right to demand that water, without charge and without obligation on the part of the United States, after 30 days notice.

(4) MODIFICATION OF RIGHTS AND OBLIGATIONS.—The rights and obligations of the United States and the District regarding the ratio, amounts, definition of Project yield, and payment for excess water may be modified by an agreement between the parties.

(d) CONSIDERATION.—

(1) DEPOSIT OF FUNDS.—Moneys paid to the United States under a contract entered into under subsection (c) shall be deposited in the special account established for the Department of the Navy under paragraph (1) of section 2667(d) of title 10, United States Code, and shall be available for the purposes specified in subparagraph (C) of such paragraph. Subparagraph (D) of such paragraph shall not apply to moneys deposited in the special account pursuant to this subsection.

(2) IN-KIND CONSIDERATION.—In lieu of monetary consideration under paragraph (1), or in addition to such consideration, the Secretary of the Navy may accept in-kind consideration in a form and quantity that is acceptable to the Secretary of the Navy, including the following forms of in-kind consideration:

(A) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities of the Department of the Navy.

(B) Construction of new facilities for the Department of the Navy.

(C) Provision of facilities for use by the Department of the Navy.

(D) Facilities operation support for the Department of the Navy.

(E) Provision of such other services as the Secretary of the Navy considers appropriate.

(3) RELATION TO OTHER LAWS.—Sections 2662 and 2802 of title 10, United States Code, shall not apply to any new facilities whose construction is accepted as in-kind consideration under this subsection.

(4) CONGRESSIONAL NOTIFICATION.—If the in-kind consideration proposed to be provided under a contract to be entered into under subsection (c) has a value in excess of \$500,000, the contract may not be entered into until the earlier of the following:

(A) The end of the 30-day period beginning on the date on which a report describing the contract and the form and quantity of the in-kind consideration is submitted by the Secretary of the Navy to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(B) The end of the 14-day period beginning on the date on which a copy of the report referred to in subparagraph (A) is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

**SEC. 5. REPAYMENT OBLIGATION OF THE DISTRICT.**

(a) IN GENERAL.—The general repayment obligation of the District shall be determined by the Secretary of the Interior consistent with sections 9(c)(2) and 9(e) of the Reclamation Project Act of 1939 to repay to the United States equitable and appropriate portions, as determined by the Secretary, of the actual costs of constructing, operating, and maintaining the Project; provided, however, that for the purposes of calculating interest and determining the time when the District's repayment obligation to the United States commences, the pumping and treatment of groundwater from the Project shall be deemed equivalent to the first use of water from a water storage project. There shall be no repayment obligation under this section for water delivered to the District under a contract as provided in section 4(c).

(b) MODIFICATION OF RIGHTS AND OBLIGATION BY AGREEMENT.—The rights and obligations of the United States and the District regarding the repayment obligation of the District may be modified by an agreement between the parties.

**SEC. 6. TRANSFER OF CARE, OPERATION, AND MAINTENANCE.**

The Secretary may transfer to the District, or a mutually agreed upon third party, the care, operation, and maintenance of the Project under conditions satisfactory to the Secretary and the District, and with respect to the portion of the Project that is located within the boundaries of Camp Pendleton, satisfactory also to the Secretary of the Navy. If such a transfer takes place, the District shall be entitled to an equitable credit for the costs associated with the Secretary's proportionate share of the operation and maintenance of the Project. The amount of such costs shall be applied against the indebtedness of the District to the United States.

**SEC. 7. SCOPE OF ACT.**

For the purpose of this Act, the basis, measure, and limit of all rights of the United States pertaining to the use of water shall be the laws of the State of California. Provided that nothing in this Act shall be construed—

(1) as a grant or a relinquishment by the United States of any rights to the use of water that it acquired according to the laws of the State of California, either as a result

of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of that acquisition, or through actual use or prescription or both since the date of that acquisition, if any;

(2) to create any legal obligation to store any water in the Project, to the use of which the United States has such rights;

(3) to require the division under this Act of water to which the United States has such rights; or

(4) to constitute a recognition of, or an admission by the United States that, the District has any rights to the use of water in the Santa Margarita River, which rights, if any, exist only by virtue of the laws of the State of California.

**SEC. 8. LIMITATIONS ON OPERATION AND ADMINISTRATION.**

Unless otherwise agreed by the Secretary of the Navy, the Project—

(1) shall be operated in a manner which allows the free passage of all of the water to the use of which the United States is entitled according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of those acquisitions, or through actual use or prescription, or both, since the date of that acquisition, if any; and

(2) shall not be administered or operated in any way which will impair or deplete the quantities of water the use of which the United States would be entitled under the laws of the State of California had the Project not been built.

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the following—

(1) \$60,000,000 (the current estimated construction cost of the Project, plus or minus such amounts as may be indicated by the engineering cost indices for this type of construction); and

(2) such sums as may be required to operate and maintain the said project.

**SEC. 10. REPORTS TO CONGRESS.**

Not later than 1 year after the date of the enactment of this Act and periodically thereafter, the Secretary and the Secretary of the Navy shall each report to the Congress regarding if the conditions specified in section 2(b) have been met and if so, the details of how they were met.

**SEC. 11. SUNSET.**

The authority of the Secretary to complete construction of the Project shall terminate 10 years after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

**GENERAL LEAVE**

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 days 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 Arizona?

There was no objection.

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

H.R. 29 was introduced by our colleague, Representative DARRELL ISSA, and would authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River in California and for other purposes. Similar legislation introduced by Congressman ISSA passed the House in the two previous Congresses.

Mr. Speaker, we have no objection to this noncontroversial bill, and I ask my colleagues to support H.R. 29.

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

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

H.R. 29 was introduced by our colleague, DARRELL ISSA, and authorizes the construction of the groundwater recharge and pumping project in the lower Santa Margarita River basin in Southern California.

If constructed, the project would provide much-needed water to the local water utility district as well as to Camp Pendleton, the Marine Corps base, for its military training needs. This project would augment the local water district supply, would relieve future additional demands for constantly limited imported water supplies, and would set aside and preserve valuable environmental habitat.

This project is an excellent example of local and Federal agencies working together to secure safe, dependable water supplies for future generations. This bill is good for water consumers, and it is good for our soldiers. I urge my colleagues to support this important bill, which has been considered by the House twice already. Perhaps the third time will be the charm.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I submit for the RECORD an exchange of letters on this particular piece of legislation.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2008.

Hon. NICK J. RAHALL II,  
Chairman, Committee on Natural Resources,  
Longworth House Office Building, Wash-  
ington, DC.

DEAR NICK: On October 10, 2007, the Committee on Natural Resources ordered H.R. 29 to be reported. As you know, this measure contains certain provisions that are within the jurisdiction of the Committee on Armed Services, and thus, was sequentially referred to the Committee on Armed Services by the Parliamentarian for the House.

Our Committee recognizes the importance of H.R. 29 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H.R. 29. I do so with the understanding that by waiving further consideration of the bill, the Committee does not waive any future jurisdictional claims over similar measures. In the event of a conference with the Senate on this bill, the Committee on Armed Services reserves the right to seek the appointment of conferees.

I would appreciate the inclusion of this letter and a copy of the response in your Com-

mittee's report on H.R. 29 and the Congressional Record during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, January 22, 2008.

Hon. IKE SKELTON,  
Chairman Committee on Armed Services,  
Rayburn H.O.B., Washington, DC.

DEAR IKE: Thank you for your willingness to expedite floor consideration of H.R. 29, which authorizes the construction of facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River in California.

I appreciate your willingness to waive rights to further consideration of H.R. 29, even though your Committee has a jurisdictional interest in the matter and has received an additional referral. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Armed Services if a conference is held on this matter.

Although the Committee's report on H.R. 29 has already been filed, this exchange of letters will be inserted in the Congressional Record as part of the consideration of the bill on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,  
Chairman,  
Committee on Natural Resources.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 29.

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

A motion to reconsider was laid on the table.

#### AIRPORT AND AIRWAY EXTENSION ACT OF 2008

Mr. CROWLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5270) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5270

*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 "Airport and Airway Extension Act of 2008".

#### SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code

of 1986 is amended by striking "February 29, 2008" and inserting "June 30, 2008".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of such Code is amended by striking "February 29, 2008" and inserting "June 30, 2008".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "February 29, 2008" and inserting "June 30, 2008".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on March 1, 2008.

#### SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "March 1, 2008" and inserting "July 1, 2008", and

(2) by inserting "or the Airport and Airway Extension Act of 2008" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(f) of such Code is amended by striking "March 1, 2008" and inserting "July 1, 2008".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on March 1, 2008.

#### SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM AND OTHER AUTHORITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended—

(A) by striking "and" at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting "and"; and

(C) by inserting after paragraph (4) the following:

"(5) \$2,756,250,000 for the 9-month period beginning October 1, 2007."

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2008, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the 9-month period beginning October 1, 2007, the Administrator of the Federal Aviation Administration shall—

(A) first calculate such funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2008 were \$3,675,000,000; and

(B) then reduce by 25 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "September 30, 2007," and inserting "June 30, 2008,".

(c) GOVERNMENT SHARE OF CERTAIN AIP COSTS.—Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "in each of fiscal years 2004 through 2007" and inserting "in fiscal year 2008 before July 1, 2008,".

(d) ADJUSTMENT AUTHORITY.—

(1) IN GENERAL.—Section 409(d) of such Act (49 U.S.C. 40101 note) is amended by striking "2007," and inserting "2008,".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 29, 2007, and shall apply with respect to any final order issued under section